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THE ANNALS OF EUROPE

For the YEAR 1740.

BEING

A methodical and full Account of all the remarkable Occurrences which happened within that Year, either at Home or Abroad ; with Copies or Extracts of the most important Treaties, and other public Papers, and an Abstract of the most remarkable Pamphlets published within that Period.

To be continued, and from thenceforth published annually, as soon as possible after the Expiration of the preceding Year.



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И Н Т
А М И А
С О Я У А



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Institut für Geographie und Raumforschung

C H A P . IX.

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THE ANNALS
EUROPE, &c.

BOOK I.

Containing an Account of the British Affairs from the 1st of January, 1740, to the 1st of January, 1741.

CHAP. I.

An Account of the most important Affairs that happened in the Session of Parliament, which began November 15th, 1739, and ended April 29th, 1740.

THE same Parliament having been further continued, by several Prorogations, from the 14th of June, 1739, to the 18th of October, it was then further prorogued to the 15th of November, and on the 21st of October a Proclamation was issued for giving Notice, that it was then to sit for Dispatch of divers weighty Affairs. Accordingly, on the said 15th of November, his Majesty opened the Session with the following most gracious Speech from the Throne.

My Lords and Gentlemen,
THE present Posture of our Affairs has obliged me to call you together, at this Time, sooner than has been usual of late Years, that I may have the immediate

The Parliament meets.

His Majesty's
Speech to
both Houses.

The A N N A L S

Advice and Assistance of my Parliament, at this critical and important Conjuncture. I have, in all my Proceedings with the Court of *Spain*, acted agreeably to the Sense of both Houses of Parliament; and therefore I can make no Doubt, but I shall meet with a ready and vigorous Support in this just and necessary War, which the repeated Injuries and Violences, committed by that Nation, upon the Navigation and Commerce of these Kingdoms, and their Obstinacy, and notorious Violation of the most solemn Engagements, have rendered unavoidable.

I have augmented my Forces by Sea and Land, pursuant to the Power given me by Parliament; which I have done with all the Moderation that the Security and Defence of my Dominions, the Protection of our Trade, and the necessary Means of distressing and annoying our Enemies in the most sensible Parts, would admit: But as these Services will be various and extensive, they must inevitably be attended with great Expences, and some Inconveniences; which, I assure myself, will be sustained with Satisfaction and Clearfulness, in pursuing such Measures, as the Honour and Interest of my Crown and Kingdoms, and the general Resentment of an injured and provoked Nation, have called upon me to undertake.

Gentlemen of the House of Commons.

I have ordered the proper Officers to lay before you Estimates for the Service of the ensuing Year, and likewise Accounts of the extraordinary Expences that have been made this Year, in pursuance of the Power given me by Parliament. And as in the Prosecution of this War, a Number of Soldiers, to serve on board the Fleet, may be requisite; I have judged it proper, that a Body of Marines should be raised, and have directed the Estimates for this Purpose to be likewise prepared, and laid before you: And I cannot doubt, from your known Affection to my Person and Government, and your Zeal for the Safety, Prosperity, and Glory of these Kingdoms, but you will grant me such effectual Supplies, and with such Dispatch, as may forward, and give Spirit to our Preparations, and enable me to carry on the War with Vigour.

My

My Lords and Gentlemen,

The Heats and Animosities, which, with the greatest Industry, have been fomented throughout the Kingdom, have, *I am afraid*, been one of the chief Encouragements to the Court of *Spain*, to hold such a Conduct towards us, as to make it necessary to have Recourse to Arms; and the unhappy Divisions amongst my Subjects, are the only Hopes of the Enemies to my Government: But whatever Views and Projects they may form upon this Rupture, and what Advantages soever *Spain* may vainly promise itself from any Circumstances in the present Situation of Affairs; it is in your Power, by the Blessing of God, to defeat the one, and disappoint the other. Union among all those, who have Nothing at Heart but the true Interest of *Great Britain*, and a becoming Zeal in the Defence of my Kingdoms, and in the Support of the common Cause of our Country, with as general a Concurrence in carrying on the War, as there has appeared for engaging in it, will make the Court of *Spain* repent the Wrongs they have done us; and convince those, who mean the Subversion of the present Establishment, that this Nation is determined, and able, both to vindicate their injured Honour, and to defend themselves against all our open and secret Enemies, both at Home and Abroad.

His Majesty being retired, and the Commons returned to their own House, a Bill was read, as usual, in the House of Lords, and ordered to be read a second Time, in order to begin the Session, and then his Majesty's Speech was read in that House, upon which the Lord *Hinton* stood up, and after a short Speech, moved the House to resolve, 'That an humble Address be presented to his Majesty, to return Thanks for his most gracious Speech from the Throne.— To declare, that the great Regard which his Majesty hath expressed for the Sense of both Houses of Parliament, in his Proceedings with the Court of *Spain*, is a Continuance of that Goodness and Concern for the true Interest of his People, which we have so often experienced; and that his Majesty's Desire to have the Advice and Assistance

Motion for
an Address
in the House
of Lords.

The ANNALS

ance of his Parliament, as early as possible, in this important Conjuncture, is a fresh Proof of his Confidence in his faithful Subjects.—That the Justice and Necessity of the War, which his Majesty has been pleased to declare against *Spain*, must be as demonstrable to all the World, as the violent and intolerable Methods practised by that Nation, to interrupt and distress the Commerce and Navigation of these Kingdoms, are notorious; and, that it is the highest Aggravation of this offensive and inexcusable Conduct, that it has been obstinately pursued, in Breach of the most solemn Engagements, and in Defiance of the highest Obligations of Friendship and good Offices: But, that since *Great Britain* has been thus unavoidably called forth to Arms, we esteem it our peculiar Felicity, that we have a Prince upon the Throne, who, with paternal Tenderness, joins in the just Resentment of an injured Nation; and whose Magnanimity and Steadiness are equal to the glorious Cause in which he is engaged.—That on this Occasion, the unfeigned Tender of our Lives and Fortunes is no more than is due to his Majesty, and our Country; and that we do, from the Bottom of our Hearts, give his Majesty the strongest Assurances that we will zealously concur in all such Measures as may forward his Preparations, and enable him to carry on the War with that Spirit and Vigour, which truly become the *British* Name.— That his Majesty's Goodness in acquainting us from the Throne, that he has augmented his Forces by Sea and Land, pursuant to the Power given him by Parliament, with all the Moderation that was consistent with those desirable Ends, which he, in his Royal Wisdom, hath pointed out to us, is an Instance of his Majesty's gracious Disposition to avoid bringing any unnecessary Burdens upon his People: And though we cannot flatter ourselves, that a State of War will not be attended with great Expences, and some Inconveniences; yet, when it is undertaken, not to gratify the Views of restless Ambition, but to assert and maintain the Honour and just Rights of his Majesty's Crown and Kingdoms, we doubt not, but those powerful Motives will induce all his Subjects to undergo with Cheerfulness, whatever is necessary in the Prosecution

cution of it. —— That it gives us inexpressible Concern, that there should be any Occasion for his Majesty to repeat his gracious Admonitions against those Heats and Animosities, which have been fomented throughout the Kingdom : That as we cannot but most seriously lament the unhappy Divisions thereby occasioned, so nothing shall be wanting on our Part to heal them, by promoting that good Harmony and Unanimity, which are so necessary at this Juncture : And we trust in God, that any Hopes or Views formed by our Enemies upon such Circumstances, will be found utterly vain and groundless ; since all his Majesty's Subjects must be convinced, that the Security of our Religion and Liberties, and the Safety and Prosperity of these Kingdoms, do entirely depend on the Preservation of his sacred Person and Government, and of the Protestant Succession in his Royal House. —— In this common Cause, Interest, as well as Duty, will make us unite ; and that we do with the greatest Zeal and Firmness assure his Majesty, that we are determined, at the Hazard of all that is dear to us, to support it against all his Enemies, both at Home and Abroad ; imploring the divine Providence to give Success to his Arms, and make them the happy Means of procuring a safe and honourable Peace.'

This Motion was seconded by the Lord Viscount Fauconberg ; and then the Lord Carteret rose up, and objected to the last Paragraph but one of this Motion ; which, he said, was quite unnecessary, and as it might give Offence to some Lords, and thereby occasion an Opposition to the Motion, he hoped the noble Lord would, for the sake of that Unanimity he seemed so much to desire, agree to leave it out of his Motion ; but this, he said, he mentioned as his Opinion only, he would not make it his Motion, because he would wait to see, what the noble Lord might resolve on, and what other Lords might think upon the same Subject.

Amend-
ment pro-
posed.

However, as the Lord Hinton, and several other Lords, insisted upon his whole Motion, it occasioned a long Debate, and at last, the Lord Chancellor having taken Notice, that no Motion for an Amendment had been properly made, the Lord Bathurst moved in Form, by way of Amendment, that the Words objected to

Motion a-
greed to.

The A N N A L S

should be left out of the Motion; whereupon, after the Debate was over, the Question was put, If these Words should stand part of the Motion? And upon a Division it was carried, that they should, Contents 68, Not-Contents 41.

Chief
Speakers on
this Occa-
sion.

In this Debate the chief Speakers were,	
For the Amendment.	Against it.
The Lord Carteret,	The Duke of Newcastle,
Duke of Bedford,	Lord Hervey,
Lord Talbot,	Lord Chancellor,
Earl of Chesterfield,	Earl of Isla.
Earl of Scarborough,	
Earl of Winchelsea;	
Duke of Argyle,	
Lord Bathurst,	
Earl of Halifax.	

The Motion being thus agreed to, the following Address was drawn up, and next Day presented to his Majesty, viz.

Lords Ad-
dress.

Most gracious Sovereign,
WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to return your Majesty our sincere and humble Thanks for your most gracious Speech from the Throne.

The great Regard which your Majesty hath expressed for the Sense of both Houses of Parliament, in your Proceedings with the Court of Spain, is a Continuance of that Royal Goodness, and Concern for the true Interest of your People, which we have so often experienced; and your Majesty's Desire to have the Advice and Assistance of your Parliament, as early as possible, in this important Conjunction, is a fresh Proof of your real Confidence in your faithful Subjects.

The Justice and Necessity of the War, which your Majesty has been pleased to declare against Spain, must be as demonstrable to all the World, as the violent and intolerable Methods practised by that Nation, to interrupt and distress the Navigation and Commerce of these Kingdoms, are notorious: And it is the highest Aggravation

vation of this offensive and inexcusable Conduct, that it has been obstinately pursued, in Breach of the most solemn Engagements, and in Defiance of the highest Obligations of Friendship and good Offices. But since *Great Britain* has been thus unavoidably called forth to Arms, we esteem it our peculiar Felicity, that we have a Prince upon the Throne, who, with paternal Tenderness, joins in the just Resentment of an injured Nation; and whose Magnanimity and Steadiness are equal to the glorious Cause in which he is engaged.

On this Occasion, the unfeigned Tender of our Lives and Fortunes is no more than is due to your Majesty, and our Country; and we do from the Bottom of our Hearts give your Majesty the strongest Assurances, that we will zealously concur in all such Measures, as may forward your Preparations, and enable you to carry on the War with that Spirit and Vigour, which truly become the *British* Name.

Your Majesty's Goodness in acquainting us from the Throne, that you have augmented your Forces by Sea and Land, pursuant to the Power given you by Parliament, with all the Moderation that was consistent with those desirable Ends, which you, in your Royal Wisdom, have pointed out to us, is an Instance of your Majesty's gracious Disposition to avoid bringing any unnecessary Burdens upon your People: And though we cannot flatter ourselves, that a State of War will not be attended with great Expences, and some Inconveniences; yet when it is undertaken, not to gratify the Views of restless Ambition, but to assert and maintain the Honour and just Rights of your Majesty's Crown and Kingdoms, we doubt not, but those powerful Motives will induce all your Subjects to undergo with Cheerfulness, whatever is necessary in the Prosecution of it.

It gives us inexpressible Concern, that there should be any Occasion for your Majesty to repeat your gracious Admonitions against those Heats and Animosities, which have been fomented throughout the Kingdom. As we cannot but most seriously lament the unhappy Divisions thereby occasioned; so nothing shall be wanting on our Part to heal them, by promoting that good Harmony and Unanimity, which are so necessary at this Juncture: And we trust in God, that any Hopes or Views formed

by our Enemies upon such Circumstances, will be found utterly vain and groundless; since all your Majesty's Subjects must be convinced, that the Security of our Religion and Liberties, and the Safety and Prosperity of these Kingdoms, do intirely depend on the Prefervation of your sacred Person and Government, and of the Protestant Succession in your Royal House.

In this common Cause, Interest, as well as Duty, will make us unite; and we do with the greatest Zeal and Firmness assure your Majesty, that we are determined, at the Hazard of all that is dear to us, to support it against all your Enemies, both at Home and Abrond; imploring the Divine Providence to give Succes to your Arms, and make them the happy Means of procuring a safe and honourable Peace.

His Majesty's most gracious Answer.

My Lords,

I thank you for this Address, so full of Duty and Affection to me, and of seasonable Assurances of your vigorous Support. The Satisfaction you express in the Measures I have taken, is very agreeable to me; and you may depend on my Endeavours to carry on the War, in such a Manner as may best answer the necessary Ends proposed by it, and the just Expectation of my People.

Motion for
an Address
in the House
of Commons.

The Commons being returned to their House, and the Session begun by reading a Bill, and ordering it to be read a second Time, Mr. Speaker reported, that the House had attended his Majesty in the House of Peers, where his Majesty was pleased to make a most gracious Speech from the Throne to both Houses of Parliament, of which, he said, he had, to prevent Mistakes, obtained a Copy, which he read to the House; and as soon as it was read, *Henry Archer, Esq;* stood up, and after a short Speech, moved the House to resolve, 'That an humble Address be presented to his Majesty, to return his Majesty the Thanks of this House for his most gracious Speech from the Throne; to express our entire Satisfaction in his Majesty's Declaration of War against the Crown of Spain; a War, which the repeated Violences and Depredations committed by

' that

that Nation upon the Trade and Commerce of these Kingdoms, the notorious Violation of their most solemn Engagements, their obstinate Refusal of making Reparation for past Injuries, and of giving Security against the like for the future, have rendered just and unavoidable; to acknowledge with all possible Duty and Gratitude our Sense of his Majesty's Wisdom and paternal Care of his People, in making use of the Power granted him by Parliament, for the Security and Defence of these Kingdoms, for the Protection of our Trade, and for the distressing and annoying our Enemies in the most sensible and effectual Manner; and to assure his Majesty, that nothing shall divert or deter us from sustaining, with Satisfaction and Clearfulness, any extraordinary Expences and Inconveniences that may attend the various and extensive Services which his Majesty shall find necessary to undertake in vindicating the Honour of his Crown, in asserting the Rights of his People, and in procuring Justice to an injured and provoked Nation; and that in Defence of his Majesty's Kingdoms, and in Support of the common Cause of our Country, we will grant to his Majesty such effectual Supplies, and with such Dispatch, as may forward and give Spirit to his Majesty's Preparations, and enable his Majesty to carry on the War with Vigour; and that we will endeavour to heal the unhappy Divisions which have too long prevailed among his Majesty's Subjects, and by our Union and Harmony to defeat and disappoint all the vain Projects, Hopes, and Expectations of his Majesty's open and secret Enemies, both at Home and Abroad.'

This Motion being seconded, there was likewise in this House great Objections made to what related to Heats and Animosities both in his Majesty's Speech, and in the Motion for an Address; for in both Houses it was strongly insisted on, that all the Heats and Animosities that had been for some Years before in the Nation, were occasioned by the Ministry's submitting so long to the Insults and Depredations of Spain; and as they had now advised his Majesty to take different Measures, this Change of Measures had put an End to all those Heats, and Animosities; therefore they ought not to have been mentioned, either in his Majesty's Speech, or in the Motion

Cause of
Opposition
in both
Houses.

The A N N A L S

tion for an Address; because it would make Foreigners believe, that there was a Party in this Kingdom against the War with *Spain*, which no Man could with any Justice suggest, now that the Ministry had declared for War.

Motion 2.
agreed to.

Commons
Address.

However, as there was no Motion for an Attendment regularly made in this House, the Question was put, and carried without a Division, for agreeing to the Motion; and the following Addres is, in Pursuance thereof, drawn up, and presented by the House to his Majesty, on the 17th, *viz.*

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, beg leave to return your Majesty our unfeigneded Thanks, for your most gracious Speech from the Throne, and to express our entire Satisfaction in your Majesty's Declaration of War against the Crown of Spain; a War, which the repeated Violences and Depredations committed by the Spanish Nation upon the Trade and Commerce of these Kingdoms, the notorious Violation of their most solemn Engagements, their obstinate Refusal of making Reparation for past Injuries, and of giving Security against the like for the future, have rendered just and unavoidable.

It is with the highest Sense of Duty and Gratitude, we acknowledge your Majesty's Wisdom and paternal Care of your People, in making Use of the Power granted to your Majesty by Parliament, for the Security and Defence of these Kingdoms, for the Protection of our Trade, and for the distressing and annoying our Enemies in the most sensible and effectual Manner; and we beg Leave to assure your Majesty, that nothing shall divert or deter us from sustaining, with Satisfaction and Clearfulness, any extraordinary Expences and Inconveniences, that must inevitably attend the various and extensive Services, which your Majesty shall find necessary to undertake, in vindicating the Honour of your Crown, in asserting the Rights of your People, and in procuring Justice to an injured and provoked Nation.

And we beseech your Majesty, to accept the strongest and most affectionate Assurances, that, in Defence of

of your Majesty's Kingdoms, and in Support, of the common Cause of our Country, we will raise such effectual Supplies, and with such Cheerfulness and Dispatch, as will forward and give Spirit to your Majesty's Preparations, and enable your Majesty to carry on the War with Vigour.

And your dutiful Commons, being truly sensible of the fatal Consequences of intestine Heats and Animosities, will, with a Zeal becomming the Representatives of the People in Parliament, endeavour to compose those unhappy Divisions, which have too long prevailed among your Majesty's Subjects; and we do assure your Majesty, that nothing shall be wanting on our Part, to restore to the Nation that Union and Harmony which may effectually defeat and disappoint all the vain Projects, Hopes, and Expectations of your Majesty's open and secret Enemies, both at Home and Abroad.

His Majesty's most gracious Answer.

Gentlemen,

I Return you my Thanks for this dutiful and affectionate Address. The unanimous Support of my faithful Commons, in this just and national Cause, will add the greatest Weight to my warlike Preparations, and, by the Blessing of God, be the surest Means of procuring Success to my Arms, and Justice to my injur'd People.

As soon as the House of Commons had agreed to this Address, they resolved, that they would next Morning take his Majesty's Speech into Consideration; and accordingly, on the 17th in the Morning, before they presented their Address, the Speech being again read, and a Motion made, that a Supply be granted to his Majesty, it was resolved, that on Monday Morning next, the 19th, the House would resolve itself into a Committee of the whole House, to consider of that Motion; which was that Day agreed to in the Committee; and their Resolution being reported on the 20th, it was resolved, *nemine contradicente*, That a Supply be granted to his Majesty; and then it was resolved, that the House would, on Friday Morning then next, resolve itself into a Committee of the whole House, to consider of the Sup-

Supply
granted, and
Committee
established.

The A N N A L S

Supply granted to his Majesty; which Committee was from that Day continued, by several Resolutions, to the 14th Day of March; and in that Time it came to the several Resolutions following, which were all agreed to by the House, viz.

Resolutions
of that Committee.

November 23d, Resolved,

1. That 35000 Men be employed for the Sea Service for the Year 1740, beginning from the first Day of January 1739.
2. That a Sum, not exceeding 4*l.* per Man per Month, be allowed for maintaining the said 35000 Men for 13 Months, including the Ordnance for Sea Service.

November 28th, Resolved,

1. That the Number of effective Men to be provided for Guards and Garrisons in Great Britain, Guernsey and Jersey, for the Year 1740, be (including 2141 Invalids, and 815 Men, which the Regiment consists of, for the Service of the Highlands) 28852 Men, Commission and Non-Commission Officers included.
2. That a Sum, not exceeding 860150*l.* 10*s.* 4*d.* Halfpenny, be granted to his Majesty, for defraying the Charge of the said 28852 Men, for Guards and Garrisons, and other his Majesty's Land-Forces in Great Britain, Guernsey and Jersey, for the Year 1740.
3. That a Sum, not exceeding 118214*l.* 15*s.* be granted to his Majesty, for raising and defraying the Charge of maintaining six Regiments of Marines, consisting of 4890 Men, Commission and Non-Commission Officers included, for 14 Months, commencing from the 25th Day of October 1739, and ending the 24th Day of December 1740, both Days inclusive.

January 16th, Resolved,

1. That a Sum, not exceeding 266203*l.* 2*s.* 1*d.* Halfpenny, be granted to his Majesty, for maintaining his Majesty's Forces and Garrisons in the Plantations, Minorca and Gibraltar, and for Provisions for the Garrisons of Anapolis Royal, Canso, Placentia, Gibraltar, and Georgia, for the Year 1740.
2. That a Sum, not exceeding 3998*l.* be granted to his Majesty, for defraying the Charge of maintaining the

the Widows of such reduced Officers of his Majesty's Land-Forces and Marines, who died upon the Establishment of Half-Pay in *Great Britain*, and who were married to them before the 25th Day of *December 1716*, for the Year 1740.

3. That a Sum, not exceeding 94071*l.* 11*s.* 3*d.* be granted to his Majesty, for the Charge of the Office of Ordnance, for Land Service, for the Year 1740.

4. That a Sum, not exceeding 46362*l.* 13*s.* 5*d.* be granted to his Majesty, for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

5. That a Sum, not exceeding 20000*l.* be granted to his Majesty, to replace to the sinking Fund the like Sum paid out of the same to the Governor and Company of the *Bank of England*, for one Year's Interest, due on or before the 8th Day of *December 1739*, being after the Rate of *4 per Cent.* on the principal Sum of 50000*l.* by them lent on Credit of the Salt Duties towards the Supply of the Year 1735, pursuant to a Clause in an Act of Parliament passed in the 8th Year of his Majesty's Reign, for granting and continuing the Duties upon Salt, and upon red and white Herrings, for the further Term of four Years.

6. That a Sum not exceeding 5865*l.* 18*s.* 9*d.* be granted to his Majesty, to replace to the sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas 1738*, pursuant to a Clause in an Act of Parliament passed in the 4th Year of his Majesty's Reign, for raising 120000*l.* by Annuities, and a Lottery, for the Service of the Year 1731.

7. That the Sum of 58333*l.* 6*s.* 8*d.* be granted to his Majesty, on account of the Subsidy payable to the King of *Denmark*, pursuant to the Treaty bearing Date the ¹⁴ March 1738-39; for the Service of the Year 1740.

January 25th, Resolved,

1. That a Sum, not exceeding 33429*l.* be granted to his Majesty, for raising and maintaining 2040 Men, Officers included, to be added to the six Regiments of Marines, for the Year 1740.

2. That

2. That a Sum, not exceeding 2450*l.* 13*s.* 6*d.* be granted to his Majesty, for maintaining one Company of Invalids, to be forthwith raised; and for making an Addition of 20 Men to each of the four Companies of Invalids raised in November 1739; in all to 181 Men, for the Service of the Year 1740.

3. That a Sum, not exceeding 10347*l.* 6*s.* be granted to his Majesty upon Account, for Out-Pensioners of Chelsea Hospital, for the Year 1740.

February 1st, Resolved,

1. That a Sum, not exceeding 10000*l.* be granted to his Majesty upon Account, towards the Support of the Royal Hospital at Greenwich, for the better Maintenance of the Seamen of the said Hospital, worn out, and become decrepit, in the Service of their Country.

2. That the Sum of 4000*l.* be granted to his Majesty, towards the repairing and finishing the collegiate Church of St. Peter Westminster.

3. That a Sum, not exceeding 10000*l.* be granted to his Majesty, to be applied towards the Maintenance of the British Forts and Settlements belonging to the Royal African Company of England on the Coast of Africa.

February 6th, Resolved,

1. That a Sum, not exceeding 22880*l.* 19*s.* 2*d.* be granted to his Majesty, for defraying the Charge of General and Staff-Officers, for the Year 1740.

2. That a Sum, not exceeding 34587*l.* be granted to his Majesty upon Account, for reduced Officers of his Majesty's Land-Forces and Marines, for the Year 1740.

3. That a Sum, not exceeding 4000*l.* be granted to his Majesty, for the further settling and improving the Colony of Georgia in America.

February 13th, Resolved,

1. That the Sum of 200000*l.* be granted to his Majesty upon Account, towards enabling his Majesty to carry on, in the most effectual manner, such Measures as his Majesty shall judge necessary in the further Prosecution of the just War, in which his Majesty is engaged.

2. That

2. That a Sum, not exceeding 9477*l.* 13*s.* 1*d.*
3 Farthings, be granted to his Majesty, for defraying
several extraordinary Expences and Services, incurred
Anno 1739, and not provided for by Parliament.

February 25th, Resolved,

That a Sum, not exceeding 1997*l.* 8*s.* 3*d.* be
granted to his Majesty, for the Ordinary of the Navy,
(including half Pay to Sea Officers) for the Year 1740.

March 7th, Resolved,

That the Sum of 4000*l.* be granted to his Majesty,
for the Marriage Portion of the Princess Mary, one of
his Majesty's Daughters.

These were the Resolutions; and that my Readers
may have a distinct View of them, and of the total Amount,
I shall give the following Abstract of them, *viz.*

	L.	s.	d.	g.
Resolution 2d	1820000	0	0	0

November 23d.	L.	s.	d.	g.
Resolution 2d — 860150 10 4 2	860150	10	4	2
3d — 118214 1 0 0	118214	1	0	0
	<hr/>	<hr/>	<hr/>	<hr/>
	978364	11	4	2

January 16th.	L.	s.	d.	g.
Resolution 1st — 266203 2 1 2	266203	2	1	2
2d — 3998 0 0 0	3998	0	0	0
3d — 94871 11 3 0	94871	11	3	0
4th — 46362 13 5 0	46362	13	5	0
5th — 20000 0 0 0	20000	0	0	0
6th — 5865 18 9 0	5865	18	9	0
7th — 58333 6 8 0	58333	6	8	0
	<hr/>	<hr/>	<hr/>	<hr/>
	494834	12	2	2

January 25th.	L.	s.	d.	g.
Resolution 1st — 33429 0 0 0	33429	0	0	0
2d — 2450 13 6 0	2450	13	6	0
3d — 10347 6 0 0	10347	6	0	0
	<hr/>	<hr/>	<hr/>	<hr/>
	46226	19	6	0
	<hr/>	<hr/>	<hr/>	<hr/>
	3339426	3	1	0

3 Brought

The A N N A L S

L.	s.	d. q.
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Brought over —	3339426	3 1 0
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February 1st.

Resolution 1st —	10000 0 0 0
————— 2d —	4000 0 0 0
————— 3d —	10000 0 0 0
	24000 0 0 0

February 6th.

Resolution 1st —	22880 19 2 0
————— 2d —	34587 0 0 0
————— 3d —	4000 0 0 0
	61467 19 2 0

February 13th.

Resolution 1st —	200000 0 0 0
————— 2d —	9477 13 1 3
	209477 13 1 3

February 25th.

Resolution ——————	199704 8 3 0
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March 7th.

Resolution ——————	40000 0 0 0
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Total of Grants for the Year 1740 —	3874076 3 7 3
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With regard to the first Resolution of the 13th of February, I think it necessary to observe, That upon the 6th of February a Proposition was made in the Committee of Supply, for granting to his Majesty a certain Sum for defraying the Expence of any secret Expedition he might resolve to carry on against the Enetmy; but this was opposed by Mr. Sandys, Mr. Gybbon, Sir John Barnard, Mr. Pulteney, and others, who said, they would not oppose granting any Sum that was necessary for carrying on the War, but insisted upon it, that it was inconsistent with the Dignity and Forms of Proceeding of that Houle, to make any such Grant, without a Particular Message in Writing from his Majesty for that Purpose; which was at last acquiesced in by those

those that proposed the granting of that Sum; and the Affair being dropt for that Time, Sir Robert Walpole presented to the House, on the 12th of February, the following Message from his Majesty, viz.

GEORGE R.

HIS Majesty, in further Prosecution of the just and necessary War in which he is engaged, having under his Consideration certain Measures, which will occasion some extraordinary Expences, not comprehended in the Estimates laid before this House, hopes, from the known Zeal of his faithful Commons, that he shall be enabled to carry on the same, in the most effectual manner.

Upon this it was ordered, *nemine contradicente*, that his Majesty's said most gracious Message be referred to the Consideration of the Committee of the whole House, to whom it was referred to consider of the Supply granted to his Majesty; and upon this the said Committee came next Day to the said Resolution.

And with regard to the Resolution of the 7th of March, I must observe, That upon the 6th of March Sir Robert Walpole presented the following Message to the House, viz.

GEORGE R.

HIS Majesty having received Proposals for a Marriage between the Princess Mary and Prince Frederick of Hesse, Son of Prince William Landgrave of Hesse, Brother to the King of Sweden, has been pleased favourably to accept and agree to the same, and has thought proper to communicate his Intentions to this House; and as his Majesty can make no doubt, but that this Alliance with so considerable a Protestant Family, will be to the general Satisfaction of all his good Subjects, he promises himself the Concurrence and Assistance of this House, in enabling him to give such a Portion to his Daughter, as may be suitable to the Honour and Dignity of his Crown and Family.

Whereupon it was resolved, *nemine contradicente*, That an humble Address be presented to his Majesty, to return his Majesty the Thanks of this House, for his most gracious Communication of the intended Marriage be-

Message
from his
Majesty re-
lating to the
Supply.

King's Mes-
sage relating
to Princess
Mary.

tween the Princeſs *Mary* and his moft ſerene Highneſs Prince *Fredric* of *Hefſe*; and to affure his Maſteſty, that this Houſe will enter into the immediate Conſideration of this impor tant Affair, in ſuch a Manner, as ſhall de monſtrate the Zeal, Duty, and Affection of this Houſe to his Maſteſty, and a juſt Regard to the Honour and Dignity of his Roial Family.

And then it was ordered likewiſe, *nemine contradicente*, that his Maſteſty's ſaid moft gracious Meſſage be referred to the Conſideration of the Committee of the whole Houſe, to whom it is referred to conſider of the Supply granted to his Maſteſty, upon which the ſaid Committee came next Day to the laid Reſolution.

Debate upon
the Esta-
bliſhment
for Marines

The other Reſolutions of this Committee do not, I think, ſtand in need of any Explanatiou; and therefore I ſhall next obſerve, that they were all agreed to without any great Oppoſition or Debate, except the 3d Reſolution of the 28th of November, and the Reſolution of the 25th of February. With regard to the former, the Estimate of the Charge of the fix Regiments of Marines from the 25th of October 1739, to the 24th of December 1740, both Days in cluſive, being 427 Days; was preſented to the Houſe by Mr. Secre tary at War, by his Maſteſty's Command, on the 26th of November. This Estimate's being preſented by this Gentleman, was a Surprise to many of the Members, because, as Marines belong to the Sea Service, they ought to be, and always had been, under the Conduct of the Admiralty; and therefore it was expe cted, that this Estimate would have been preſented by ſome of the Lords of the Admiralty. Upon this Account, ſeveral Gentlemen made Enquiries into the Establishments and Expence of our Fleets and Armies during the Wars in the late King William's and Queen Anne's Time; and next Day, a Motion was made by Lord Polwarth, for an Addrefs to his Maſteſty, that he would be graciously pleased to give Directions, that the Establish ment of the fix Regiments of Marines for the Year 1704, ſhould be laid before the Houſe. Upon this, Mr. Secre tary at War acquainted the Houſe that he had dilig ently ſearched his Office for that Establish ment, without being able to find it; and therefore he believed it had been burnt, when the Under-Secretary of that Office, ſome Years before, had the

the Misfortune to have his House burnt ; so that it would be to no Purpose to agree to the Motion, and might be a Cause of Delay. This occasioned some Sort of Debate; and after several Members had spoke for and against the Question, without pointing out the Mistake, Mr. *Sandys* rose up, and said, that the honourable Gentleman might have saved himself the Trouble of searching in his Office for that Establishment, which was to be found only at the Admiralty-Office ; for our Marines were then, as they always ought to be, under the Direction and Command of the Lord High Admiral. The Lord *Polwarth* then rose up again, and said, that he did not know whether the Gentlemen in the Administration could find the Establishment he had moved for, but he would acquaint them, that he had found it, and had procured a Copy of it, which they were welcome to look into, if they pleased. At last all Opposition to the Motion was given up, and the Address agreed to. As the House presently after resolved itself into a Committee of the whole House, to consider further of the Supply granted to his Majesty ; and as this Resolution was then proposed, it was opposed on Account of the said Estimate's being very different from, and more expensive, than the Establishment of Marines in the Queen's Time; but as the Establishment was not then regularly before the House, the Argument could not be enforced with a proper Authority ; so that the Resolution was agreed to in the Committee, without any great Opposition. But the Report being next Day put off, on Account of some Motions I shall afterwards give an Account of, Sir *Charles Wager*, on the 30th, presented to the House, the said Establishment for six Marine Regiments, *Anno 1704*; and Mr. *Scrope*, by his Majesty's Command, presented to the House an Extract of the Establishment of Guards and Garrisons for the Service of the Year 1704, as far as the same related to the Pay and Charges of six Regiments of Soldiers raised for Sea Service, with their Officers, &c.

Then Mr. *Francis Fane*, made the Report from the Committee of Supply ; and upon the said 3d Resolution's being read a second Time, a Motion was made, that the said Establishment and Extract might be read, which was accordingly done ; whereupon *Edmund Wal-*

ler, Esq; stood up, and by comparing the present Estimate with the Establishment in 1704, he clearly shewed, that though we were not now to have so many Men, by some Hundreds, as we had in 1704; yet they were to cost us above 8000*l.* more yearly. This introduced a long Debate, in which the chief Speakers for disagreeing with the Committee, in order to have the Establishment altered, and made, as they said, both more serviceable and less expensive to the Publick, though not so serviceable to the Minister, were, the said Mr. Waller, Lord Polwarth, Mr. Sandys, Mr. Pulteney, Sir John Barnard, and William Pitt, Esq; and the chief Speakers for agreeing with the Committee, were, Mr. Sloper, Sir William Yonge, and Sir Robert Walpole; but upon the Question's being put, the Resolution of the Committee was agreed to.

Debate upon
the Ordinary
of the Navy.

With regard to the Resolution of the 25th of February, the House having that Day resolved itself into a Committee of the whole House, to consider further of the Supply granted to his Majesty, and a great many Estimates and Accounts, which had been called for, having been referred to that Committee, the Lord Baltimore stood up, and after having explained what was meant by the Ordinary of the Navy, and the Nature of the several Articles usually mentioned in that Estimate, he shewed that it was the Duty of every Member of that House, to examine strictly into the Articles of the several Estimates laid before them: That this was the only Reason that could be supposed for their having any Estimates laid before them; and that if they neglected their Duty in this Respect, they betrayed the Trust reposed in them by their Constituents, and granted away the Money of their Country, without knowing wherefore. Then he descended into a particular Examination of several of the Articles in the Estimate for the ensuing Year; and endeavoured to shew, that there was a great Probability of their being over-rated, or extravagantly charged. This brought on a Debate; but as his Lordship had made no Motion, when the Lord Polwarth came to speak a second Time, after having started several new Objections against the Estimate then before them, he endeavoured to shew the Impossibility of examining such Things in a Committee of the whole House,

and

and therefore he concluded, with proposing that the ordinary Estimate of the Navy be referred to a secret Committee. But the Motion not being insisted on, the Estimate was taken into Consideration, and the Resolution agreed to, in the Committee of Supply ; and upon the Report agreed to by the House. In this Debate, the chief Speakers against the Estimate, and for referring it to a secret Committee, were, the Lord Baltimore, Mr. Sandys, the Lord Polwarth, Sir George Oxenden, and Mr. Pulteney; and the chief Speakers for the Estimate, and against referring it to a secret Committee, were, Sir Charles Wager, Mr. Clutterbuck, Mr. Corbet, Sir William Yonge, and Mr. Hay.

The last Resolution of the Committee of Supply, *viz.* that of the 7th of March, was agreed to *nemine contradicente*, which was thought the more extraordinary, because it was the first Time that ever any of the younger Daughters of the Royal Family had a Marriage Portion provided for them by Parliament ; and because his present Majesty, at the Beginning of his Reign, had 100000*l.* added to the Civil List, during his Life, more than had been enjoyed by any of his Predecessors, which Addition was supposed to have been made, in order to enable him the better to support and provide for his numerous Issue. However, the Resolution was, as I have said, agreed to *nemine contradicente*, upon the 10th of March, and instead of appropriating this Sum in the general Appropriation-Clause, the said Resolution was next Day again read in the House, and a particular Bill ordered to be brought in for that Purpose.

Accordingly, on the 12th, Francis Fane, Esq; presented to the House a Bill for providing a Marriage Portion for the Princess Mary, which was read a first Time, and ordered to be read a second Time. Next Day it was read a second Time, and committed to a Committee of the whole House ; and it was resolved, that the House would, next Morning, resolve itself into a Committee of the whole House, upon the said Bill.

On the 14th, the Order for the House to resolve itself into a Committee of the whole House, upon the said Bill being read, Mr. Sandys moved, that the last Clause of an Act made in the last Session of Parliament, intituled *An Act to enable his Majesty to settle an Annuity of*

*Bill ordered
for a Portion
to the Prin-
cess Mary.*

15000*l.* on his Royal Highness the Duke of Cumberland, and the Heirs of his Body; and also one other Annuity of 24000*l.* on their Royal Highnesses the Princess Amelia, the Princess Caroline, the Prince*s* Mary, and the Princess Louisa, might be read: And the same being read accordingly, after the House had resolved itself into the said Committee, he moved to insert some Words, for removing a Doubt that might afterwards arise, in relation to the Princess Mary's Share of the said Annuity of 24000*l.* which Motion being seconded by Mr. Hume-Campbell, there arose a Debate, whether any such Words were necessary, in which, besides these two Gentlemen, Sir William Wyndham, Mr. Lyttleton, Mr. Fazakerley, and Mr. Digby, spoke for inserting the Words proposed; and Mr. Speaker, Mr. Winnington, Sir Robert Walpole, and Mr. Attorney-General against it; and upon putting the Question, it was carried in the Negative, without a Division.

Monday the 17th, the Bill was reported, and, with the Attendments, was ordered to be ingrossed; and the next Day it was read a third Time, and sent to the Lords, where it met with yet greater Dispatch; for it was read a first, second, and third Time, without being committed, and sent back the very next Day, *viz.* the 18th, to the Commons, without any Amendment; and on the 19th, his Majesty came to the House of Lords, and gave it the Royal Assent, with the other Bills then ready.

Committee
of Ways and
Means es-
tablished,

I come next, in Course, to give an Account of the Committee of Ways and Means. On Monday the 26th of November, the House of Commons having agreed to the Resolutions which the Committee of Supply had come to, on the 23d, as before mentioned, it was then resolved, that the House would, on Wednesday Morning then next, resolve itself into a Committee of the whole House, to consider of Ways and Means for raising the Supply granted to his Majesty; which Committee was continued, by several Resolutions, to Wednesday the 26th of March inclusive, and in that Time came to the following Resolutions, *viz.*

Resolutions
of thatCom-
mittee,

November 28th, Resolved,
That towards raising the Supply granted to his Ma-
jesty,

jeſty, the Duties on Malt, Mum, Cyder and Perry, which, by an Act of Parliament of the 11th Year of his Maſteſty's Reign, have Continuance to the 24th Day of June, 1740, be farther continued and charged upon all Malt, Mum, Cyder and Perry, which ſhall be made for Sale, within the Kingdom of Great Britain, from the 23d Day of June, 1740, to the 24th Day of June, 1741, which Reſolution was next Day agreed to by the Houſe, and a Bill ordered to be brought in upon the fame, which paſſed into a Law.

December 3d, Resolved,

That towards raiſing the Supply granted to his Maſteſty, the Sum of four Shillings in the Pound, be raiſed in the Year 1740, upon Lands, Tenements, Hereditaments, Pensions, Offices, and Personal Estates, in that Part of Great Britain called England, Wales, and Town of Berwick upon Tweed; and that a proportionable Cess, according to the ninth Article of the Treaty of Union, be laid upon that Part of Great Britain called Scotland. Upon this Reſolution likewiſe a Bill was ordered to be brought in, which was paſſed into a Law.

January 18th, Resolved,

That the Sum of 88722l. 7s. 10d. Farthing, now remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year 1739, be iſſued and applied towards making good the Supply granted to his Maſteſty in this Session of Parliament; which Reſolution was agreed to by the Houſe.

February 4th, Resolved,

That towards raiſing the Supply granted to his Maſteſty, there be iſſued and applied the Sum of One Mil-
lion out of ſuch Money as have arifen, or ſhall, or may arife, of the Surpluſſes, Exceſſes, or Overplus Money, commonly called the Sinking Fund. Which Reſolution was agreed to by the Houſe, and a Bill ordered to be brought in upon the fame, which was paſſed into a Law.

February 15th, Resolved,

That towards raiſing the Supply granted to his Maſteſty,

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jesly, his Majesty be enabled to issue and apply the further Sum of 200,000*l.* out of the growing Produce of the Surplusses, Excesses, or Overplus Moneys, commonly called the Sinking Fund. Upon this Resolution's being agreed to by the House, it was ordered, That it be an Instruction to the Gentlemen who are appointed to prepare and bring in a Bill upon the Resolution's last above-mentioned, that they do prepare a Clause or Clauses to be inserted in the said Bill, pursuant to this Resolution,

March 10th, Resolved,

1. That towards raising the Supply granted to his Majesty, his Majesty be enabled to issue and apply the Sum of 21000*l.* 1*s.* 8*d.* Halfpenny, now remaining in the Receipt of his Majesty's Exchequer, arisen by the Sale of Lands in the Island of St. Christopher.
2. That so much of an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Preservation of his Majesty's Woods in America, and for the Encouragement of the Importation of naval Stores from thence, and to encourage the Importation of Masts, Yards, and Bow-sprits from that Part of Great Britain called Scotland, as relates to the Premium upon Masts, Yards, and Bow-sprits, Tar, Pitch, and Turpentine,* is near expiring, and fit to be continued.
3. That an Act made in the ninth Year of the Reign of his present Majesty, intituled, *An Act for further encouraging and regulating the Manufacture of British made Sail-Cloth, and for the more effectual securing the Duties now payable on foreign Sail-Cloth imported into this Kingdom,* which was to continue in Force from the 24th Day of June 1736, for the Term of five Years, and from thence to the End of the then next Session of Parliament, is near expiring, and fit to be continued.

These Resolutions were agreed to by the House, and then it was ordered, that it be an Instruction to the Committee of the whole House, to whom the Bill for granting to his Majesty the Sum of *One Million* out of the Sinking Fund, &c. is committed, that they have Power to receive a Clause, pursuant to the first of the said Resolutions.

March

March 26th, Resolved,

1. That an Act made in the fifth Year of his present Majesty's Reign, intituled, *An Act for encouraging the Greenland Fishery*, which was to continue in Force from the 25th Day of December 1731, for the Term of nine Years, is near expiring, and fit to be continued.
2. That an Act made in the 6th Year of his present Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery, carried on by his Majesty's British Subjects*, which was to continue in Force during the Continuance of an Act passed in the fifth Year of the Reign of his present Majesty, intituled, *An Act for encouraging the Greenland Fishery*, is near expiring, and fit to be continued.
3. That an additional Bounty of ten Shillings per Ton, be given to all Ships in the Whale Fishery to Greenland and Davis's Straights, which shall go out on the said Fishery during the present War.

These Resolutions being agreed to by the House, the second and third Resolutions of the 10th of the same Month were read, and a Bill was ordered to be brought in upon these five Resolutions; which was accordingly brought in, and passed into a Law.

Upon these Resolutions of the Committee of Ways and Means, I shall observe, that if we compute the Land Tax at *Two Millions*, and the Malt Tax at *700000 £.* as usual, the Money to be raised by these Ways and Means will stand thus; *viz.*

Sums provi-
ded for by
the Com-
mittee of
Ways and
Means.

	L.	s.	d.	g.
The Malt Tax ——— ———	700,000	0	0	0
The Land Tax ——— ———	2,000,000	0	0	0
Overplus of last Year's Grants —	88,722	7	10	1
From the Sinking Fund ———	1,000,000	0	0	0
From the growing Produce of the Sinking Fund ———	200,000	0	0	0
Produce of St. Christopher's Sale	21,000	1	8	2
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	3,909,722	9	6	3

So that the Sums provided by the Committee of Ways and Means exceed the Grants of the Committee of Supply in the Sum of 35,646*l.* 5*s.* 11*d.* but as both the Land Tax and the Malt fall short of what they are usually computed at, we may suppose there will be a deficiency.

Remarks on
these Reso-
lutions.

I think it necessary likewise to observe, that the second and third Resolutions of the 10th of March, and the first and second Resolutions of the 26th of the same Month, were at first the Resolutions of the Committee appointed to inquire what Laws were expired, or near expiring, and to report their Opinion, which of them were fit to be revived or continued; but upon that Committee's making their Report, which they did upon the 29th of February, as these Resolutions related to the Publick Revenue, they were then postponed, and afterwards taken up in the Committee of Ways and Means. To these Observations I think it proper, in this Place to add, that upon the 12th of March it was ordered, That it be an Instruction to the Committee of the whole House, to whom the Bill for granting to his Majesty the Sum of *One Million* out of the Sinking Fund, &c. is committed, that they have Power to receive a Clause of Appropriation; and accordingly, in that Committee, Clauses were inserted for appropriating all the Grants of this Year to their respective particular Uses, as may be seen in the Act.

Having thus given a brief Account of the Committees of Supply, and of Ways and Means, I shall next give an Account of some of the most important Bills, not relating to the Publick Revenue, that were in this Session passed into Laws, according to the Order in which they were brought in.

On Friday the 16th of November, being the second Day of the Session, Mr. Pulteney moved, that the sixth and eighth Sections of an Act made in the sixth Year of Queen Anne's Reign, intituled, *An Act for the better securing the Trade of this Kingdom by Cruisers and Convoys;* and also the second Section of an Act made in the same Year, intituled, *An Act for the Encouragement of the Trade to America,* might be read, and the same being read accordingly, he again stood up, and after shewing the Advantages the Nation had reaped, during the

Bill for se-
curing
Trade and
encourag-
ing Seamen.

the late War, from the Regulations contained in these Sections; the Advantages the Nation must in every War reap from such Regulations; and the Prejudice it had suffered from not having these Regulations revived two Years before, when he had brought in a Bill for that Purpose; he concluded with a Motion, That Leave be given to bring in a Bill for the more effectual securing and encouraging the Trade of his Majesty's British Subjects in America, and for the encouragement of Seamen to enter into his Majesty's Service. This Motion was seconded by Mr. Sandys, supported by the Lord Baltimore, Sir John Barnard, Mr. Hooper, and Philip Gybbon, Esq; and then Henry Pelham, Esq; stood up, and acknowledged the Usefulness of what was proposed, but said, the Motion was too early, because such a Bill as, he supposed, was designed, ought to be founded upon a Message from the Crown, and that therefore they ought to wait a few days, in order to give the Crown an Opportunity to send some Message for that Purpose. Upon this there was a long Debate, in which the principal Speakers for the Motion, were the Gentlemen above mentioned; and the principal Speakers against it, were, besides the Gentleman above mentioned, Sir Charles Wager, Mr. Howe, and Sir Robert Walpole; but as the Opposers expressed some sort of Indifference, whether the Motion was agreed to or no, upon the Question's being put, it was agreed to without a Division; and the Bill was presented to the House by Mr. Pulteney, on the 26th of the same Month. In the Committee, there was some Dispute about the Day on which the Law was to begin to have effect in the *West Indies*, the Gentlemen who had brought in the Bill, being of Opinion, that the 24th of June was too long a Day, which they said shewed the Disadvantage of the Nation's not being provided with such a Law, before the Commencement of the War, to have taken Place, as was proposed two Years before, within a certain Number of Weeks or Months after his Majesty's Proclamation of War. However, to avoid as much as possible any Objection to their Bill, they agreed to the Day proposed, and the Blank was accordingly filled up the 24th Day of June, 1740.

I must

South Sea
Company
Petition
against it.

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I must also observe, with regard to this Bill, that upon the 10th of December, a Petition was presented to the House by the South Sea Company, setting forth, ‘That the said Company, by an Act passed in the Ninth Year of the Reign of her late Majesty Queen Anne; and by Virtue of the Charter, bearing Date the 8th Day of December, 1711, granted to the said Company by her said late Majesty in pursuance of the said Act, are intituled to the sole Trade to America, within the Limits by the said Act and Charter prescribed; that by the said Act and Charter the said Company, and the Person by them licensed, and no other whatsoever, are intituled to trade within the said Limits; and that any other Subjects of Great Britain, visiting, frequenting, or haunting any of the Places within the said Limits, shall forfeit the Ships and Vessels employed, with their Furniture, and all the Goods and Merchandizes laden thereon, and the Proceeds thereof, and also double the Value, one Fourth to the Crown, one Fourth to the Person seizing, informing, and suing for the same, and the other two Fourths to the said Company; and the said Company are to enjoy to their own Use for ever, without any Account to be rendered to the Crown, or any other Persons, all Islands, Cities, Forts, Towns, and Places whatsoever, which they, or the Persons employed or licensed by them, or the Ships allowed by the Crown for their Defence and Security, should discover, seize, or possess within the Limits thereby mentioned, and to be for ever the sole Owners and Proprietors thereof, with their Dependencies, to be holden of the Crown, in Fee and common Socage by Fealty, rendering the annual Rent of one Ounce of Gold, if demanded, and to have for ever the sole Trade to all such Islands, Forts, Towns, and Places; and also to have, take, and enjoy to their own Use, all such Ships and Vessels, with their Furniture, and all Goods, Merchandise, Bullion, Treasure, and other Things taken within the Limits prescribed as Prize, by the Ships or Agents of the said Company, or Persons by them licensed, or by the Ships of the Crown, allowed for the Security of the said Company, without any Account to be rendered thereof to the Crown, or any other

other Person whatsoever, except the Shares by the said Charter limited to the Officers and Seamen assisting in taking the same, any Law or Usage to the contrary notwithstanding; and that the said Company, and the Persons by them licensed, are further empowered to seize by force of Arms, or otherwise, the Persons, Ships, Goods, Merchandize, or other Effects of any of the Subjects of *Great Britain*, who should haunt, frequent, traffick, trade, or adventure into the *South Seas* within the Limits prescribed, and to keep the same to their own Use, without any Account to be rendered thereof, and to bring the Persons seized to *Great Britain*, in order to their being prosecuted for such Offence according to Law; that the Petitioners are informed, that in a Bill brought in, and now depending in the House, intituled, *A Bill for the more effectual securing and encouraging the Trade of his Majesty's British Subjects to America, and for the Encouragement of Seamen to enter into his Majesty's Service*, there are some Clauses giving the Adventurers, under the Powers in the said Bill mentioned, a Right to hold and enjoy to their own Use, not only all Ships, with their Ladings, but also to hold and enjoy for ever, all such Settlements, Factories, Lands, Forts and Places, as they shall take from the Crown, or Subjects of *Spain*, in any Parts of *America*; any Law, Statute, Provision, or Declaration to the contrary, in any wise, notwithstanding; that the Petitioners apprehend, that if the said Bill should pass into a Law, the said *South Sea Company* will thereby be deprived of the Rights and Privileges by Law in them vested; and therefore, and for that the said Company have, by publick Advertisements, declared themselves to be, and still are willing, on reasonable Terms, to grant Licences to any Persons desirous to become Adventurers within the Limits prescribed by the aforesaid Act and Charter, praying, that the Rights and Privileges of the said Company may be preserved to them, in such Manner, as to the House shall seem meet.

This was directly the Case of the Company of Undertakers at *Athens*, so well known in Story, and accordingly the House had very little regard to it; however, they referred

referred the Petition to the Consideration of the Committee of the whole House to whom the said Bill was committed; but made no Alteration in the Bill, on account of this Complaint.

As the House did not go into a Committee on the Bill till the 11th of December, and as they were five Days in the Committee upon it, and two Days upon the Report, the Bill did not pass this House till the 20th of December, when it was sent to the Lords for their Concurrence, and there it remained till the 22d of January, when it was sent back with some Amendments, which Amendments, with an Amendment to one of them, were agreed to on the 25th, and the Bill sent again to the Lords for their Concurrence to that Amendment; and on the 1st of February the Lords returned it to the Commons with their Concurrence to that Amendment; but the Bill did not receive the Royal Assent till the 19th of March, when his Majesty came to the House, and passed the Act for providing a Marriage Portion for the Princess Mary, as before mentioned.

Motion for
publishing
this Law by
Proclama-
tion.

As this new Law's being generally known among our Sailors, might encourage them to act with vigour in the Service of their Country; as few of them read Acts of Parliament; and besides, as it was proper to give the Subjects in general Notice, that there was a Clause in it, empowering his Majesty to grant Charters to any Society, or particular Persons, to join in any Adventure by Sea or Land, and to sail to and in any of the Seas of America, (which they could not before do on Account of the South Sea Company's exclusive Charter) for attacking the Enemy; and for seizing in the Captors the Property of whatever they should take or possess themselves of; therefore, upon the 27th of March, Mr. Pulteney moved to address his Majesty, that he would be graciously pleased to give publick Notice of these Things, and to offer Charters to all such as should apply for the same. This Motion was seconded by Mr. Sandys, and being opposed by Sir Robert Walpole, there ensued a Debate upon it, in which, besides the Gentlemen I have just mentioned, Philip Gibbon, Esq; Sir William Wyndham, Mr. Hume Campbell, and Walter Plumer, Esq; spoke for the Motion; and Henry Pelham, Esq; the Lord Baltimore,

Baltimore, Mr. Winnington, Mr. Attorney General, Horatio Walpole, Esq; and Mr. Hay spoke against it. At last there was a sort of Compromise; for upon Sir Robert Walpole's assuring the House, that if his Opinion should be asked, he would advise publishing such a Proclamation as was proposed, Mr. Pulteney and Mr. Sandys agreed to drop their Motion, in which the House acquiesced.

The Merchant Service being in great distress for want of Seamen in this War, as it will be in every War, till better Methods are fallen upon, for encouraging Seamen in Time of War, and supporting them in Time of Peace, Sir John Barnard, upon the 6th of December, moved for leave to bring in a Bill for the better Supply of Mariners and Seamen, to serve in his Majesty's Ships of War, and on board Merchant Ships and other trading Vessels and Privateers, in which Motion he was supported by Mr Sandys, Mr. Walpole, Sir James Lowther, and Mr. Alderman Willimot; and leave being given accordingly, they were ordered to prepare and bring in the same. This Bill was next Day presented to the House by Sir John Barnard, read a first Time, and ordered to be read a second Time. The Day following, it was read a second Time; and as it was agreed to by all Parties, and very necessary in our present Circumstances, it passed both Houses, and was ready for the Royal Assent on the 20th of December, and accordingly upon that Day received the Royal Assent, together with the Malt and Land Tax Bills. As this Act will contribute to the Relief of our Trade, not only in the present War, but in every War we may be hereafter engaged in, it will be another lasting Monument to the Honour of the worthy Gentleman who was the chief Contriver and Promoter of it; and a fresh Proof of his Capacity as well as of his Integrity, and disinterested Regard for the Welfare of his Country. But as the Method of pressing seems now to be established by Custom, if not by Law, and as there was no Provision in this Bill, against pressing foreign Seamen, it made another Bill necessary, which I shall hereafter take notice of.

Upon the present Rupture with Spain, his Catholick

Another Bill
for encou-
raging Sea-
men.

Bill for pro-
hibiting
Commerce
with
Spain.

with this Nation, but also to prohibit the Importation of any *British* Commodities, even in neutral Ships, as the Reader will see in my *Annals for last Year*, Vol. I. p. 160. Vol. II. p. 92. This was thought, it seems, a sufficient Reason for our doing the same with respect to *Spain*, and all Commodities of the Dominions of *Spain* in *Europe*, or of the *Canary Islands*; and for this Purpose, upon a Motion made by Mr. *Walpole*, and supported by Mr. *Burrell* and Colonel *Bladen*, on the 18th of *December*, leave was given to bring in a Bill for prohibiting Commerce with *Spain*; which was accordingly presented to the House by Mr. *Walpole* on the 15th of *January*, and was passed by the Commons on the 5th of *February*. But it was not passed by the House of Lords and returned to the Commons, till the 6th of *March*; and then it came down with some Amendments. On the 25th of *March*, the Amendments made by the Lords to this Bill, were taken into Consideration by the Commons, and some of them being disagreed to, a Committee was appointed, as usual, in such Cases, to draw up Reasons to be offered to the Lords, at a Conference, for their disagreeing to these Amendments. These Reasons being drawn up, were presented to the House by Mr. *Walpole*, and agreed to on the 27th, and Sir *Nathaniel Curzon* was sent to the Lords to desire a Conference, upon the Subject Matter of the Amendments made by their Lordships to the said Bill: On the 14th of *April*, at a second Conference on this Subject, the Duke of *Bedford*, one of those appointed by the Lords to manage the Conferences on their Part, acquainted the Committee of the Commons, that their Lordships insisted upon two of their Amendments, for which they gave their Reasons, which Mr. *Walpole* the same Day communicated to the House. These Reasons were taken into Consideration by the Commons on the 17th of *April*, and several Journals being read, as well as several Merchants concerned in the *Spanish* Trade examined, the second Amendment made by the Lords, with several Amendments thereunto, was agreed to, and the House resolved to insist upon their Disagreement to the first Amendment; whereupon Mr. *Secretary at War* was sent to the Lords to desire a Free Conference upon the Subject Matter of the last Conference.

Conference. The 22d, at two in the Afternoon, being appointed by the Lords for this Conference in the Painted Chamber, the Managers for the Commons went up, and being returned, Mr. *Walpole* reported, that the Managers had been at the Place appointed, and had waited there a considerable Time, but that the Lords not coming to the said free Conference, the Managers thought it their Duty to stay no longer. This was like to have raised a Ferment in the House, which was immediately adjourned till next Morning; but next Day a Message came from the Lords, that their Lordships were prevented by extraordinary Business from meeting the Commons yesterday at a free Conference, as was desired by the Commons, and that the Lords did appoint the said free Conference presently in the Painted Chamber, which the Commons agreed to, and their Committee went up accordingly. Next Day, a Message came from the Lords, that their Lordships did not insist on their first Amendment, and had agreed to the Amendments made by the Commons to their Lordships second Amendment; and the Bill having thus at last past both Houses it received the Royal Assent, amongst the other Bills, at the End of the Session. This is a short Abstract of the Proceedings upon this Bill; but as any sort of Dispute between the two Houses is always a Matter of great Importance as well as Solemnity, my Readers may be curious to see a more full Account of this Dispute, and therefore shall give them the following Abstract of the Proceedings upon it in the House of Peers, and at the Conferences.

8th February 1739.

The Bill for prohibiting Commerce was brought up and read the first Time.

15th February, Read a second Time, and committed to a Committee of the whole House on Thursday next.

21st February, Ordered, That the Bill be printed, and the House to be in a Committee thereupon on Tuesday next, and the Lords to be summoned.

26 and 29th February, The House was in a Committee on the said Bill, and made several Amendments thereto.

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4th March, The Earl of Warwick, (according to Order) reported from the Committee of the whole House, to whom the said Bill was committed, the Amendments made by them to the said Bill, and the same were read, and such of them as were disagreed to by the Commons are as follow.

Pr. 1. line 20.

Leave out (24th) and insert (first) and in the same Line leave out *June* and insert (*May.*)

Pr. 2. line 10.

Before (and) add Clauses marked (A) and (B.)

Clause (A.)

Provided that nothing herein contained shall extend, or be construed to extend, to hinder or prohibit any Goods or Commodities of the Growth, Product, or Manufacture of any of the Kingdoms, Dominions, Islands or Territories of the King of Spain, which were actually imported into, and landed in, the Island of *Minorca* or *Gibraltar*, on or before the 26th Day of *February* 1739, from being imported into *Great Britain*, so as the same be imported on or before the 24th Day of *June* 1740, in *British* built Shipping navigated according to Law, and so as due Proof be made on Oath before the Commissioners of his Majesty's Customs, or any three of them, who are hereby empowered to administer such Oath, and also to enquire into the Truth of the Case, and all Circumstances relating thereto, that the said Goods and Commodities were actually imported into, and landed in *Minorca* or *Gibraltar* on or before the said 26th Day of *February*.

And the first Amendment being read a second Time, was agreed to.

Then the second Amendment (Proviso A) being read a second Time, was agreed to with leaving out the Words (and landed in) in two Places. And after (*Gibraltar*) in two Places to insert (and there landed or loaded on board some *British* Ship or Vessel.)

And it being proposed to allow of the same Proof as is required to be made before the Commissioners of the Customs to be made before the Custom-House Officers in the Out-Ports,

The same was objected to.

After

After Debate,

It was moved, that after the Words in the said Proviso (Commissioners of his Majesty's Customs, or any three of them) these Words be inserted, *viz.* (in the Port of *London*, or before the Customer, Collector, or Comptroller of the Customs, or any two of them in the Ports of *Bristol*, *Glasgow*, or *Liverpool*.)

After further Debate,

The Question was put upon the said Motion,
And it was resolved in the Negative.

It was agreed in the second Line of the second Press, before the Word (Port) to insert (foreign).

5 March 1739. The said Bill was read the third Time, and (with the said Amendments) passed, and sent to the Commons for their Concurrence to the said Amendments.

27th March 1740. A Conference was desired by the Commons, upon the Subject Matter of the Amendments made by their Lordships to the Bill for prohibiting Commerce with *Spain*. To which the House agreed, and appointed the same to be on the next Day in the Painted Chamber.

28th March 1740. Managers of the Conference with the Commons were appointed, who went to the Conference, which being ended, and the House resumed,

The Duke of *Bedford* reported, that they had met the Managers for the Commons at the Conference, which, on their Part, was managed by Mr. *Walpole*, who delivered to them a Paper to the Effect following.

To the second Amendment made by your Lordships in Pres 1. line 20. of the said Bill, whereby the Word (*June*) is directed to be left out, and the Word (*May*) to be inserted instead thereof, the Commons disagree.

Commons
Reasons for
disagreeing
to some of
the Amend-
ments.

Because they apprehend that if the Prohibition of bringing *Spanish* Goods was to take place the first of *May*, many Persons who have Goods on the Way from *Spain*, which have been long since bought and paid for, may be too much straitned in time, considering the Uncertainty of Winds, as well as the Difficulty the Merchants may be under of getting Ships to load their Goods in *Minorca* or at *Gibraltar*, that are fit to

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run without Convoy, and the Delay that may happen by other Ships waiting for Convoy, which is the more to be regarded on account of the heavy Penalties which by this Bill are inflicted on importing such Goods after the Time limited, which your Lordships seem sensible of by the Provision in Clause (A) which the Commons have disagreed to for the Reasons after mentioned.

To the third Amendment made by your Lordships to Press 2. Line 2. of the said Bill, whereby the Word (foreign) is directed to be inserted before the Word (Port) the Commons disagree.

Because the Prohibition of importing *Spanish* Goods would be thereby restrained to such Goods as should be imported from some foreign Port or Place, and consequently there would be no Prohibition of importing into this Kingdom *Spanish* Goods from any other Part of his Majesty's Dominions, which the Commons apprehend to be contrary to the Design of the Bill.

To the next Amendment made by your Lordships being Clause (A) the Commons disagree.

Because they think it better that the Prohibition should take Place absolutely in all his Majesty's Dominions at the same Time, than to give leave to bring *Spanish* Goods from *Minorca* or *Gibraltar* to *Great Britain* after the Prohibition has taken Place, upon Proof being made before the Commissioners of the Customs of the Goods being imported into *Minorca* or *Gibraltar* before the 26th of *February*, which may occasion the Law to be evaded, and would lay all Importers of such Goods, who do not live in or about the Cities of *London* and *Westminster*, under great Difficulties.

Ordered, That the said Report be taken into Consideration on *Monday* next, and the Lords to be summoned.

31st March 1740, The House (according to Order) proceeded to take into Consideration the Report of the Conference had with the Commons on *Friday* last, upon the Subject Matter of the Amendments made by their Lordships to the Bill, intituled, *An Act for prohibiting Commerce with Spain*.

And

And the said Report was read by the Clerk.

Proposed to insist on the second Amendment made by this House to the said Bill, to which the Commons disagreed. And the same was agreed to.

The next Amendment disagreed to by the Commons being read, *viz.* before (Port) insert (foreign) it was agreed not to insist.

After which, it was agreed to insist on Clause (A) disagreed to by the Commons.

Ordered, That the Managers of the former Conference be appointed a Committee to prepare Reasons to be offered to the Commons at another Conference for the Lords insisting on the said Amendments.

Their Lordships, or any five of them, to meet to Morrow at the usual Time and Place, and to adjourn as they please.

14th April 1740. The Duke of Bedford reported from the Lords Committees appointed to prepare Reasons for the Lords insisting on two of their Amendments to the Bill, intituled, *An Act for prohibiting Commerce with Spain*, Reasons drawn by them as follow.

The Lords do insist on their second Amendment made to the Bill, intituled, *An Act for prohibiting Commerce with Spain*, in Prefs 1. line 20. of the said Bill, whereby the Word (*May*) is directed to be inserted instead of the Word (*June*), to which the Commons disagree.

Because their Lordships apprehend, that should there be a Liberty granted of importing into his Majesty's Dominions any Goods or Commodities of the Growth or Product of Spain till the first of June next, it would be a great Prejudice to this Kingdom, since an Opportunity may be thereby given of importing large Quantities of Goods contracted for after the Prohibition of Commerce on the Part of Spain, and which must therefore be paid for in ready Money, whereby the Balance of Trade will be turned to the Prejudice of Great Britain, and great Advantages will arise to the King of Spain and his Subjects during the Time of actual War with that Crown, which will, as the Lords conceive, be, in a great Measure, prevented by the said Amendment.

Lords Reasons for insisting on some of their Amendments to a Bill prohibiting Commerce with Spain

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The Lords do not insist on their third Amendment in Prefs 2. line 2. of the said Bill, whereby the Word (foreign) is directed to be inserted before the Word (Port) to which the Commons disagree.

The Lords do insist on their Amendment Clause (A) to which the Commons disagree.

Because it did appear to their Lordships by the Account given by the Merchants at their Bar, that almost all the Effects of the English Merchants contracted for in Spain were either in Minorca, Gibraltar, or at Sea in their way to England on or before the 26th Day of February last, the Time limited by the said Clause for the Arrival of such Goods at Minorca or Gibraltar; and their Lordships conceive that no Inconvenience can arise by indulging the Merchants to the 24th of June for bringing Home such Goods, since by the said Clause they are required to make Proof, that the said Goods were actually imported into Minorca or Gibraltar, and there landed or loaded on board some British Ship or Vessel on or before the said 26th Day of February. And the Method prescribed for making such Proof is agreeable to what hath been formerly practised in Cases of the like Nature, except that in this Case the Proof is, for the greater Security, required to be made before the Commissioners of the Customs instead of the Barons of the Exchequer; but no greater Difficulty will be thereby occasioned to the Importers who do not live in or about the Cities of London and Westminster, than was thought reasonable in the A& third and fourth Anne, Cap. 13. Sect. 3. And besides it will be very practicable for them to send up their Proofs to be produced and laid before the Commissioners of the Customs.

For these Reasons abovementioned, the Lords apprehend that no Inconvenience can happen from the said Clause, and from the Prohibitions not absolutely taking Place in all his Majesty's Dominions at the same Time.

Which being read by the Clerk,

Ordered, That the said Reasons be delivered to the Commons at a Conference. And,

A Message was sent to the House of Commons, to desire a present Conference with that House in the
Painted

Painted Chamber, upon the Subject Matter of the last Conference.

The Messengers, being returned, acquainted the House, that the Commons will give a present Conference as desired.

Ordered, That the Committee appointed to draw Reasons to be offered to the Commons, be the Managers of this Conference.

The House being informed, that the Managers of the Conference for the Commons were ready in the Painted Chamber,

The Names of the Managers for this House were called over.

And the House was adjourned during Pleasure, and the Lords went to the Conference; which being ended, the House was resumed, and the Duke of *Bedford* reported, that the Lords had met the Managers for the Commons at the Conference, and communicated to them their Lordships Reasons as directed, and left the Bill and Amendments with them.

17th April 1740. A Message was brought from the House of Commons, to desire a free Conference with this House, upon the Subject Matter of the last Conference.

To which the House agreed, and appointed the same to be at two of the Clock, on *Tuesday* next, in the Painted Chamber.

22d April 1740. The House was informed, that the Managers of the free Conference for the House of Commons were ready in the Painted Chamber.

Ordered, That the Managers of the last Conference be the Managers of the free Conference.

Then the Names of the Managers of the free Conference being called over,

A Debate arose touching the Manner of proceeding to, and at the said free Conference.

And the Method prescribed in the Roll of standing Orders to be observed on Occasion of Conferences being read,

The House was informed by the Gentleman Usher of the Black Rod, that the Managers for the Commons

were gone from the Place of Meeting for the said Conference.

23d April 1740. Ordered, That a Message be sent to the House of Commons, to acquaint them, that the Lords were prevented, by extraordinary Business, from meeting the Commons Yesterday at a free Conference as was desired by them; and that their Lordships do appoint the said free Conference presently in the Painted Chamber.

And a Message was accordingly sent to the House of Commons for that Purpose; and the Messengers, being returned, acquainted the House, that the Commons will meet their Lordships presently at the free Conference as appointed.

The House being informed, that the Managers of the free Conference for the Commons were ready in the Painted Chamber,

The Names of the Managers for the Lords were called over.

Then the House was adjourned during Pleasure, and the Lords went to the free Conference, and proceeded in the usual Manner into the Painted Chamber covered.

Which being ended,

The House was resumed, and the Duke of Bedford reported, that the Managers of the free Conference, upon the Subject Matter of the last Conference, had met the Managers for the Commons at the said Conference; which on their Part was managed chiefly by Mr. Walpole and Sir John Barnard, who used divers Arguments to support the Commons insisting upon their Disagreement to the first Amendment made by your Lordships to the Bill, intituled, *An Act for prohibiting Commerce with Spain*, whereby the Word (*June*) is left out, and the Word (*May*) inserted instead thereof. And they further acquainted your Managers, That they had examined several Merchants, viz. Mr. Alderman Lambes, Mr. Josiah Chitty, Mr. Henry Vanderflagen, Mr. Foster and Mr. Campbell, touching the Nature and Circumstances of the Trade or Commerce in Question, and the Possibility of the Merchants bringing Home their Goods by the Time limited by your Lordships

ships Amendment; and the said Managers did alledge, That the said Merchants, upon their Examination, gave to the Commons very material Information in relation to the said Trade and Commerce, on Consideration whereof the Commons thought proper to make the following Amendments to Clause (A), viz,

Line 6. Leave out (were) and insert (shall be.)

Line 8 and 9. Leave out (and there landed or loaded on board some British Ship or Vessel.)

Line 9 and 10. Leave out (26th) and insert (first.)

Line 10. Leave out (*February*) and insert (*May*.)

Line 11. Leave out (thirty nine) and insert (forty.)

Line 18. After (them) insert (in the Port of London or before the Collector and Comptroller of the Customs in any other Port of Great Britain.)

Line 24 and 25. Leave out (and there landed or loaded on board some British Ship or Vessel.)

Line 25. Leave out (26th) and insert (first.)

Line last, Leave out (*February*) and insert (*May*.)

The Managers for the Commons did moreover observe, That there was a great Difference between the Provisions in this Bill, and the Provisions in the Act of the third and fourth Years of the Reign of Queen Anne, for prohibiting Commerce with France, both with respect to the Commodities thereby prohibited, as touching the Proof to be made of the Time of the Goods being imported. And concluded with expressing their Hopes, that your Lordships will not insist on your said first Amendment, and also agree to the said Amendments made by the Commons to Clause (A.)

Upon which your Lordships Managers acquainted the Managers for the Commons, that they having offered new Matter, concerning which your Managers had no Instructions from your Lordships, they could not take upon them to make an immediate Answer thereto, but would report the same to the House.

Ordered, That the said Report be taken into Consideration To-morrow, and that the said Mr. Alderman Lambert, Mr. Joseph Chitty, Mr. Henry Vanderstagen, Mr. Postle, and Mr. Campbell do then attend this House;

24th April 1740. The House (according to Order) proceeded to take into Consideration the Report of the

free

free Conference had with the Commons Yesterday upon the Subject Matter of the former Conferences.

And the Merchants attending, according to the Order Yesterday, were called in and examined at the Bar touching any, and what Quantities of *Spanish* Goods or Commodities remained beyond Sea, or on Board, and other Matters. And they acquainted the House, there were great Quantities abroad; and also mentioned great Difficulties they met with in procuring Shipping for the Importation thereof.

And then they were directed to withdraw.

Lords do
not insist.

Then it being moved not to adhere to the Amendment made by this House to the Bill, intituled, *An Act for prohibiting Commerce with Spain*, whereby it was agreed to leave out (*June*) and insert (*May*) instead thereof.

The same was agreed to.

And then the several Amendments made by the Commons to Clause (A) added by this House to the said Bill, were read, and also agreed to.

And a Message was sent to the House of Commons to acquaint them, That the Lords do not insist on the said Amendment made by their Lordships; and do agree to the Amendments made by the Commons to Clause (A).

Objections
made to the
passing of
such a Bill.

Tho' this Bill passed both Houses of Parliament without any remarkable Opposition, yet as this may be supposed to have been partly owing to a just Resentment carried perhaps too far, and as many Gentlemen of good Sense disapproved of it, I shall with the utmost Diference give some of the Arguments made use of against it. In the first Place, it was said, that as this Nation is a trading Nation and depends chiefly on foreign Commerce, whatever other Nations may do, we ought not, on our Part, to do any thing that may interrupt or cramp our Commerce.

2dly, That as our Trade with *Spain* has always been deemed a beneficial Trade to this Nation, and might by proper Management be rendered much more beneficial than it has been of late Years, whatever his Catholick Majesty may do, we ought not on our Part to do any thing that may interrupt our Trade with that Kingdom;

dom; for that notwithstanding the severest Prohibitions on the Part of *Spain*, Methods will be found to introduce many of our Commodities among the People of *Spain*, if we do not second the Views of that Court by some imprudent Steps of our own.

3dly, That most of the Goods imported from *Spain*, except their Wines and Fruits, are necessary for working up our own Manufactures, or for sorting Cargoes, and carrying on our Commerce with other Nations; which the Parliament seemed to be sensible of, by inserting in this Bill a Clause empowering his Majesty to take off the Prohibition by Proclamation, with respect to such *Spaniſh* Commodities as he should think proper. And even as to the Wines and Fruits of *Spain*, the Prohibition of them could be of no great Disadvantage to the Crown of *Spain*; because the Revenue of that Crown depends very little either upon the Growth or Exportation of these Commodities; and it would, with respect to both, be a Disadvantage to this Kingdom: With regard to the *Spaniſh* Wines, if we have not their Wines, we must take an equal Quantity from other Nations at a dearer Rate; and besides, as some Sorts of *Spaniſh* Wines are necessary for brewing up our Wines made here at home, they are of Advantage to the Nation; for though the Wine Brewery here at Home be a Loss to the Revenue, it is an Advantage to the Nation in general, by diminishing the Quantity of Wines imported. And with regard to *Spaniſh* Fruits, their Lemons and Oranges, particularly, are of great Benefit to this Nation, by promoting the Consumption of Punch, and thereby diminishing the Quantity of foreign Wines we have occasion for.

The fourth and last Argument I shall take Notice of was, That in this War we ought to have taken all possible Methods for making the *Spaniards* believe, that we have no Quarrel with the People but only with the Court of *Spain*; and that for this Purpose, his Catholic Majesty's Prohibition of Commerce should have been answered with a counter Declaration, that we had no Quarrel with the People of *Spain*, and therefore would not prohibit Commerce with them, but on the contrary, would give all possible Encouragement to such of the Subjects of *Spain* as should run the Risk
of

of trading with any of the Subjects of this Nation; and that as we were forced into this War by the Injustice and Obstinacy of the Court of *Spain*, and by that alone, we would avoid as much as possible doing any Injury to the Subjects of *Spain*, farther than was absolutely necessary for compelling their Court to comply with our just Demands.

These were the Arguments made use of by some Gentlemen without Doors, what Weight there was in them I shall leave to my Readers to judge.

Bill for encouraging foreign Seamen, &c.

As the pressing of Seamen still continued with great Vigour, and as no Provision had been made in the Bill for the better Supply of Mariners and Seamen, which I have already given an Account of, to prevent the pressing of such foreign Seamen, as should, in pursuance of that Law, enter into the *British Merchant or Privateer Service*; this, it was foreseen, would in a great Measure prevent any foreign Seaman's entering into such Service; but as the worthy Gentleman who contrived and promoted the former Bill was not in the Secret of our publick Affairs, he could not foresee or suppose, that the Heat of the Press would continue so long as it did; and therefore when he found it did, and was like to continue, he thought it necessary to prevent an Inconvenience that would have rendered his Bill ineffectual. For this Purpose, on the 13th Day of March, he moved for Leave to bring in a Bill for the Increase of Mariners and Seamen to navigate Merchant Ships, and other trading Ships or Vessels, in which Motion he was supported by Mr. Alderman *Willmott*, Mr. *Sandys*, and Sir *James Lowther*; and Leave being granted, he presented the Bill to the House the very next Day, so that it passed both Houses by the third of April, but did not receive the Royal Assent till the End of the Session.

Remark upon naturalizing foreign Seamen, &c.

Thus all proper Methods were taken to encourage foreign Seamen to enter into the *British Service*, but I must observe, that there is a Provision in the Bill for the better Supply of Mariners and Seamen which may be some Discouragement to foreign Seamen to enter into our Service: I mean that by which it is provided, that no Person to be naturalized by Virtue of that Act shall thereby be enabled to be of the Privy Council, or a Member

Member of either House of Parliament, or to take any Office or Place of Trust, either civil or military, or to have any Grant of Lands, Tenements, or Hereditaments from the Crown to himself, or to any other Person or Persons in Trust for him. This Disability, I say, may be some sort of Discouragement to foreign Seamen's entering into the *British Service*; and yet in our present Circumstances it was absolutely necessary to have such a Proviso, otherwise one of the most important and necessary Limitations in the *Act of Settlement* might have been evaded; for a foreign Gentleman, or a Nobleman, might have entered himself as a Seaman on board one of his Majesty's Ships of War, and after remaining there for two Years, rather as a Companion to the Captain, than as a Seaman, might immediately have been brought into the Privy Council, and advanced to one of the highest Offices in the Kingdom. It was therefore absolutely necessary to guard against such an Evasion by such a Proviso; and for the same Reason, there is a like Proviso in another *Act* passed the same Session of Parliament, intituled, *An Act for naturalizing such foreign Protestants, and others therein mentioned, as are settled, or shall settle in any of his Majesty's Colonies in America*; which *Act* was brought in upon the Motion of Mr. Pulteney, and will certainly be of great Advantage to our Settlements in *America*: But if it had not been for preventing this Evasion of the *Act of Settlement*, both these *Acts* would, in my Opinion, have been better without such a Proviso; because it might have encouraged Foreigners of Distinction to come and settle amongst us, or to enter into the *British Sea Service*; and such Men would have been able to have brought a great many common Men along with them.

March 4th, Upon the Motion of Mr. Vore, seconded by Horatio Walpole, Esq; leave was given to bring in a Bill to prevent collusive Qualifications of Persons to vote as Freeholders, in the Election of Members to serve in Parliament for Cities and Counties of the same Cities, in that Part of Great Britain called England. This Bill was accordingly presented by Mr. Vore to the House, on the 13th, and being read a first Time, was ordered to be read a second Time and printed.

Norwich,

Bill for preventing collusive Qualifications of Voters.

Norwich, for which these two Gentlemen were Representatives, is a City, as well as County of itself; this Bill, according to the first Draught, related to Cities only that were Counties of themselves; but upon the Bill's being read a second Time, and committed, which was on the 18th, it was ordered, That it be an Instruction to the said Committee, that they have Power to extend the Provisions of the said Bill to Towns, that are Counties of themselves, as to Persons, who have a Right of voting there for Members of Parliament, in Virtue of Freeholds of 40*s.* a Year; and upon the 20th, the Order of the Day, for going into a Committee upon this Bill, being read, a Motion was made, that it be an Instruction to the said Committee, that they have Power to receive a Clause or Clauses to restrain any Person from voting for the electing of Members to serve in Parliament, for any City, Borough, Port, Town, or Place in that Part of *Great Britain* called *England*, unless such Person has been in Possession of the Franchise, for which he claims a Right to give his Vote, for a certain Time to be limited, except he is intituled thereto by Burgage Tenure, or that such Right accrues to him by Descent, Marriage, Birth or Servitude, or where the Right of Election is in a select Number of Persons.

As all Bills in Parliament which seem to be designed for the Publick Good, and yet are made to relate to a particular Place, or a few particular Places, lie under the Suspicion of proceeding from what is called a jobbing Design, the first of these Instructions, which, as I have said, was agreed to, contributed a good deal towards removing this Bill from any such Suspicion; and if the other Instruction had been likewise agreed to, it would have made this Bill of great and general Use, by preventing that infamous Custom of making a great many Persons free of a Corporation, with no other View, but to serve a particular Job at an ensuing Election; but upon the Question's being put upon the Motion for this Instruction, it was carried in the Negative. The first Instruction, however, took place, and the Committee having extended the Bill accordingly to Towns that are Counties of themselves, the Bill, from the Time the Report was agreed to, took the Name of a

Bill for more effectually preventing fraudulent Qualifications of Persons to vote as Freeholders in the Election of Members to serve in Parliament for such Cities and Towns, as are Counties of themselves, in that Part of Great Britain called *England*; and the Bill thus intituled being passed by the House of Commons, and agreed to by the Lords without Amendment, received the Royal Assent at the End of the Session.

I cannot close my Account of the Bills passed into Laws during last Session, without taking Notice of one Private Bill, *viz.* The Bill for naturalizing *Amalie Sophie de Wallmoden*. This Bill at first brought into the House of Lords, and being passed by them, was sent down to the Commons on Friday the 15th of February, where it was read a first Time and ordered to be read a second Time on Monday the 18th. On Friday the 22d it was read a second Time and committed: On Monday the 25th Mr. *Walpole* reported from the Committee to whom the Bill was committed; that the Committee had examined the Allegations of the Bill, and found the same to be true; and that the Committee had directed him to report the Bill to the House without any Amendment; and he having delivered the Bill in at the Table, it was soon after, upon the same Day, read a third Time, passed, and Mr. *Walpole* ordered to carry the Bill to the Lords, and acquaint them that the House had agreed to the same without any Amendment; which he accordingly did, and the Bill received the Royal Assent on Wednesday the 19th of March.

Having thus given some Account of the most remarkable Bills that had the good Fortune to be passed into Laws, during last Session, I shall next give an Account of the most important Bills that were brought in, but had not the good Fortune to pass; and here the Bill for making more effectual the Laws now in Being for disabling Persons from being chosen Members of, or sitting or voting in, the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices held in Trust for them, deservedly claims the first Notice. On the 19th of February, Mr. *Sandys*, seconded by my Lord *Powis*, moved for Leave to bring in this Bill, and Leave being granted, these two Gentlemen were ordered to prepare

Bill for naturalizing
Amalie Sophie de Wallmoden, since
created
Countess of
Tarmonth.

Pension Bill.

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prepare and bring in the same. On the 26th, Mr. *Sandys*, accordingly, presented this Bill to the House; when it was read a first Time, and ordered to be read a second Time on the *Friday Morning* following. On that Day it was read a second Time, and committed to a Committee of the whole House; and it was resolved that the House would on *Tuesday Morning* then next resolve itself into a Committee on the said Bill; accordingly, on that Day, the Committee went through the Bill, the Report was received the next Morning, and the Bill read a third Time, and passed on the 11th of *March*, without meeting with Opposition in any one Step of it's Progress through that House.

This Bill having been read a first Time in the House of Lords, it was, by order, read a second Time on the 19th of *March*, and a Motion of Course made for it's being committed; whereupon the Lord *Walpole* stood up, and desired that Part of the Journals of that House of the Years 1729, 1730, 1731, and 1732, might be read, from whence it appeared, that a Bill of the same Purport had been four times rejected in that House; after which, in a short Speech, he opposed committing the Bill, which brought on a long Debate in that House, in which, the principal Speakers were,

For the Commitment.

The Lord *Talbot*,
Earl of *Halifax*,
Earl of *Carlisle*,
Duke of *Argyle*,
Lord *Carteret*,
Earl of *Abingdon*,
Duke of *Bedford*,
Bishop of *Lincoln*,
Earl of *Chesterfield*.

Against it.

The Lord *Walpole*,
Lord *Henton*,
Earl of *Cholmondeley*,
Bishop of *Salisbury*,
Duke of *Newcastle*,
Lord *Harvey*.

The Question being at last put, it was carried in the Negative, 52 Not Contents to 40 Contents; after which, upon a Motion made by the Lord *Delawar*, the Bill was rejected without a Division.

The principal Arguments against this Bill were, 1st, That it was against the Spirit of our Laws, and of very bad Consequence to Religion, and to the sacred regard

Men ought to have for an Oath, to oblige a Man to swear in any Case where his Interest was concerned.
2d, That the rewarding of Merit and Publick Service was one of the chief, and one of the most useful Prerogatives of the Crown; but if that Bill should pass into a Law, it would put it out of the Power of the Crown to bestow a just Reward upon any Member of the other House, without exposing him to the Infamy of being expelled that House as a corrupt Betrayer of that Country. 3d, That by this Bill they were to establish in the other House a sort of Power or Jurisdiction which would render them entirely independent, both of that House and of the Crown, and consequently might be of the most dangerous Consequence to our Constitution, by destroying that mutual Dependency which the several Branches of our Legislature have upon one another. And 4th, That the Bill, though passed into a Law, would have no Effect; because those who are wicked enough to vote in Parliament against their Conscience, for the Sake of a Pension or Bribe, would be wicked enough to deny upon Oath their having had any such Pension or Bribe.

To the first it was answered, That the general Rule of not compelling a Man to swear in any Case where his Interest was concerned, necessarily admitted of many Exceptions, particularly, in Cases relating to the Preservation of our Constitution or Government both in Church and State, as might appear from many of our Statutes, especially the Test and Corporation Acts; and that it was full as reasonable to interpose the sacred Ceremony of an Oath to preserve the State against Corruption, as to preserve the Church against Popery or Presbytery. To the 2d, That Rewards for real Merit, or real Publick Service, were always publickly given, and the more publickly they were given, the more Honour they did both to the Giver and Receiver: That Rewards were never given secretly, but when given for some dirty or infamous Job, none of which could be given by the Crown, but might be given by Ministers, and when given, both Giver and Receiver ought to be punished, as soon as any Proof could be had of the Crime; and that the obtaining of such a Proof was the very Design of the Bill then before them.

To the 3d, That by the Bill no Power or Jurisdiction was to be given to the other House: There was nothing designed but to furnish them with a Method by which they might be enabled to exercise a Power they were before by Law invested with, which was that of turning all corrupt Members out of their House, and which, 'twas found by Experience, they could not do, without such a Method of Proof as was proposed by that Bill. And to the 4th it was answered, That the Bill might not perhaps have all the Effect that could be wished, but still it would have some; for there were many Men whose Avarice might tempt them to take a Bribe or Pension, and yet their Religion might prevent their denying it upon Oath. And besides, with regard to Crimes upon which Penalties are by Law inflicted, there was Courage as well as Wickedness necessary for a Man's committing them, and many Men might have Courage enough to run the Risk of being expelled, who would not have Courage enough to run the Risk of being prosecuted for Perjury.

These were the chief Arguments and Answers in this Debate, and that the Reader may be the better enabled to judge of the Weight of both, I shall give him the following Copy of the Bill as it was sent up to the House of Lords, viz.

A Bill, intituled, *An Act for making more effectual the Laws now in being, for disabling Persons from being chosen Members of, or sitting or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices held in Trust for them.*

WHEREAS the Being and Continuance of all free Governments depend upon the keeping out Corruption, and it can in no Place so effectually operate to destroy the Freedom of this Nation as in Parliament: Therefore to prevent and guard against the same, and to enforce and render more effectual the Laws now in being for that purpose; may it please your most excellent Majesty that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty fourth Day of June One thousand seven hundred and forty, no Person, who shall be elected a Member to serve in the House of Commons, shall sit or vote in the said House during any Debate there, after their Speaker is chosen, until such Member shall from time to time, and in manner following, first take the Oath herein after mentioned, and subscribe the same, in a Parchment Roll to be provided by the Clerk of the House of Commons for that purpose, *videlicet*,

I A. B. do solemnly and sincerely swear, That I have not, directly or indirectly, any Pension during Pleasure, or for any Number of Years, from the Crown, or any Office, in part or in the whole, from the Crown, held for me, or for my Benefit by any Person whatsoever; and I do solemnly and sincerely promise and swear, that I will not receive, accept, or take, directly or indirectly, during the Time of my being a Member of this Parliament, any Pension during Pleasure, or for any Number of Years, or any other Gratuity or Reward whatsoever, or any Office from the Crown, to be held for me or for my Benefit, in part or in the whole thereof, by any Person whatsoever, without signifying the same to this House within fourteen Days after I have received or accepted the same, if the Parliament be then sitting, or within fourteen Days after the next Meeting of the Parliament.

So help me God.

Which said Oath shall be in this and every succeeding Parliament solemnly and publickly taken and subscribed by every such Member of the House of Commons, at the Table in the Middle of the said House, at the same Time that he takes the other Oaths, by Law directed to be taken, whilst a full House of Commons is there duly sitting, with their Speaker in his Chair,

And be it further enacted by the Authority aforesaid, That if any Member, so taking the Oath, and subscribing, as before directed, shall, at the Time of taking the said Oath, have any Pension during Pleasure, or for any Number of Years, or any Office from the Crown, in

part or in the whole held in Trust for him, or for his Benefit; or shall, during his being a Member of Parliament, accept, receive, or take any Pension during Pleasure, or for any Number of Years, or any other Gratuity or Reward whatsoever, or any Office from the Crown, in part or in the whole to be held for him, or for his Benefit, without signifying the same to the House, as aforesaid, such Member shall be, and is hereby adjudged and declared to be guilty of wilful and corrupt Perjury, and being thereof convicted by due Course of Law, shall incur and suffer the Pains and Penalties which by the Laws and Statutes of this Realm are inflicted in Cases of wilful and corrupt Perjury; and shall from thenceforth be incapable of taking, holding, or enjoying any Office whatsoever.

And be it further enacted, That if any Member, elected as aforesaid, shall refuse or neglect to take and subscribe the Oath, as before directed, the Place for which such Member was elected shall be, and is hereby, without any other Conviction or Proceeding, declared void to all Intents and Purposes, as if such Member was naturally dead.

And be it further enacted, That in case any Member shall presume to sit or vote in the House of Commons, after the Speaker is chosen, without taking and subscribing the Oath herein before mentioned, such Member shall forfeit the Sum of thirty Pounds for each Day he shall sit and vote as aforesaid, to be recovered and received with full Costs of Suit, by him or them who shall sue for the same; and to be prosecuted by any Action, Suit, Bill, Plaintiff, or Information in any of his Majesty's Courts of Record at *Westminster*, wherein no Esseign, Protection, Wager of Law, or more than one Imparlane shall be admitted or allowed; and shall from thenceforth be incapable of taking, holding, or enjoying any Office or Employment of Trust under his Majesty, his Heirs, or Successors.

Provided always, and it is hereby declared and enacted by the Authority aforesaid, That no Person shall be made liable to any Incapacity, Disability, Forfeiture, or Penalty, by this Act laid or imposed, unless Prosecution be commenced within one Year after the Dissolution, or other Determination of the Parliament, in which

which such Incapacity, Disability, Forfeiture, or Penalty shall be incurred; or in case of a Prosecution, unless the same be carried on without wilful Delay; any thing herein contained to the contrary notwithstanding.

This Bill was brought up, read the first Time, and ordered to be printed 11th March, 1739.

19th March, read a second Time, and (upon the Question) refused to be committed, and rejected.

The Bill that next deserves our Notice, was a Bill to explain, amend, and render more effectual an Act made in the ninth Year of the Reign of Queen Anne, intituled, *An Act for securing the Freedom of Parliaments, by the farther qualifying the Members to sit in the House of Commons.* The Motion for Leave to bring in this Bill was made on the 7th of February, by Sir John Rusbout, and seconded by Mr. Bootle; and Leave being granted, these two Gentlemen were ordered to prepare and bring in the same. The Bill was accordingly presented to the House by Sir John Rusbout, on the 18th, and being read a first Time, was ordered to be read a second Time; which was done by an express Order for that Purpose, on Friday the 29th, when it was committed to a Committee of the whole House, and resolved, that the House would on Tuesday Morning then next resolve itself into a Committee of the whole House upon the said Bill.

But this Resolution being put off from Time to Time till Monday the 17th of March, the House then resolved itself into the said Committee, and having gone through the Bill, the Question was put, without any Debate, in the Committee, for reporting it to the House, when there seemed to be but one Gentleman's (No) against the Question, and yet upon a Division, which was insisted on by those that afterwards appeared to be against the Bill, the Question was carried in the Negative*.

That my Readers may judge for themselves about this Bill, I shall give them a Copy of it as follows, *viz.*

* See *London Magazine* for 1740 pag. 628. col. 1.

Bill for further securing the Freedom of Parliaments.

A Bill to explain, amend, and render more effectual, an Act made in the ninth Year of the Reign of Queen Anne, intituled, An Act for securing the Freedom of Parliaments by the farther qualifying the Members to sit in the House of Commons.

WHEREAS by an Act made in the ninth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for securing the Freedom of Parliaments, by the farther qualifying the Members to sit in the House of Commons*, it was enacted, That from and after the Determination of that Parliament, no Person should be capable to sit or vote, as a Member of the House of Commons, for any County, City, Borough, or Cinque Port, within that Part of Great Britain called England, the Dominion of Wales, and Town of Berwick upon Tweed, who should not have an Estate, Freehold or Copyhold, for his own Life, or for some greater Estate either in Law or Equity, to and for his own Use and Benefit, of or in Lands, Tenements, or Hereditaments, over and above what would satisfy and clear all Incumbrances that might affect the same, lying or being within that Part of Great Britain called England, the Dominion of Wales, and Town of Berwick upon Tweed, of the respective annual Values thereafter limited; *videlicet*, The annual Value of six hundred Pounds above Reprizes for every Knight of a Shire, and the annual Value of three hundred Pounds above Reprizes for every Citizen, Burgess, or Baron of the Cinque Ports (except such Persons and Places as are therein particularly excepted): And by the said Act it was further enacted, That every Person (not therein excepted) who after the Determination of that Parliament should appear as a Candidate, or be proposed to be elected to serve as a Member of the House of Commons, should, upon request made, at the Time and in the Manner therein mentioned, take the Oath in and by the said Act prescribed to be administered by the Sheriff, Under-Sheriff, Mayor, Bailiff, or other Officer or Officers to whom it should appertain to take the Poll, or make the Return at such Election, or by any two or more Justices of the Peace, who were to certify

tify the taking thereof into the High Court of Chancery, or Queen's Bench, within three Months after the taking the same, under the Penalty therein mentioned.

Now, for amending and making the said Act more effectual,

May it please your most excellent Majesty,

That it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that from and after

any Person having an Estate for Life, or for a greater Estate or Interest in Reversion or Remainder, expectant upon the Determination of the Life of any Jointress, or having an Estate either in Law or Equity, for the Term of Years, or any other Term of Years, determinable upon his own Life, or upon more Lives, whereof his own Life is one, and to and for his own Use and Benefit, of or in Lands, Tenements, or Hereditaments, lying or being within that Part of Great Britain called England, the Dominion of Wales, or Town of Berwick upon Tweed, of the respective annual Values hereafter limited, over and above what will satisfy, and clear all Incumbrances which may affect the same; *videlicet*, The annual Value of above Reprizes for every Knight of a Shire, and the annual Value of

above Reprizes for every Citizen, Burgesses, or Baron of the Cinque Ports, may be elected and returned to serve in Parliament as a Knight of a Shire, or as a Citizen, Burgesses, or Baron of the Cinque Ports respectively, for any County, City, Borough, or Cinque Ports, within that Part of Great Britain called England, the Dominion of Wales, and Town of Berwick upon Tweed, and may sit and vote as a Member of the House of Commons; any thing in the said Act to the contrary thereof notwithstanding.

Provided always, and be it further enacted, by the Authority aforesaid, That no Person shall be allowed to sit and vote in the House of Commons by reason of any Qualification in Lands, Tenements, or Hereditaments

in Possession, unless he shall have been in Possession of such Lands, Tenements, or Hereditaments, or in the Receipt of the Rents, Issues, and Profits thereof, for above the Space of next before his Election, nor by Virtue of any Mortgage whereof the Equity of Redemption is in another Person, unless he shall have been in Possession of the mortgaged Estate for the Space of Years next before the Time of his Election; any thing herein contained to the contrary thereof in any wise notwithstanding.

And be it further enacted, by the Authority aforesaid, That from and after so much of the said in part recited Act as relates to the said Oath, and the administering, taking, and certifying the same, shall be, and is hereby

and that

every Person who shall, after

be elected or returned to serve as a Member of the House of Commons for any County, City, Borough, or Cinque Port within that Part of Great Britain called *England*, the Dominion of *Wales*, or Town of *Berwick upon Tweed*, and who qualifies himself by having Lands, Tenements, or Hereditaments in Possession, shall openly and publickly, in the House of Commons, at the Table there, at the Time when he takes the other Oaths appointed by Law to be taken by every such Member, take and subscribe an Oath in the Form or to the Effect following, *videlicet*,

I A. B. do swear, That I truly, and bona fide, have and enjoy such an Estate in Law or Equity, to and for my own Use and Benefit; of or in Lands, Tenements, or Hereditaments (over and above what will satisfy and clear all Incumbrances which may affect the same) of such annual Value, above Reprizes, as doth qualify me to be elected and returned to serve as a Member of the House of Commons, for the Place for which I am elected and returned to serve in this present Parliament, according to the true Intent and Meaning of the Statutes in that Case made and provided, or one of them; which said Lands, Tenements, or Hereditaments are situate, lying and being as described or mentioned in a Paper by me this Day delivered to the Clerk of the House of Commons, and subscribed with my

my own Hand; and I do swear, That the said Lands, Tenements, or Hereditaments, or any Part thereof, have or hath not been fraudulently granted or conveyed to me, with an Intent to evade or elude the Force and true Meaning of the said Statutes, or either of them, according to the best of my Knowledge or Belief.

So help me God.

Which said Oath shall be administered by the Clerk of the House of Commons for the Time being, or his Deputy or Assistant.

And be it further enacted, by the Authority aforesaid, that every such Person who shall be so elected or returned, shall, before he takes the said Oath of his Qualification as hereby directed, deliver into the Clerk of the House of Commons, a Paper signed with his own proper Name and Hand-writing, containing the Parish, Township, or Precinct, or the several Parishes, Townships, or Precincts, and the County or Counties where such Lands, Tenements, or Hereditaments do lie, whereby he makes out his Qualification; which Paper shall be filed and kept by the said Clerk of the House of Commons, who is hereby directed and required to transcribe the same in a Book to be provided and kept for that purpose; for the filing and transcribing whereof, and for the administering the said Oath, as aforesaid, he shall have and receive from every such Person the Sum of

Provided always, and be it further enacted, by the Authority aforesaid, That where such Person is intituled by Purchase, and hath not been in Possession of the Lands, Tenements, or Hereditaments, whereby he makes out his Qualification for the Space of Years next before his Election, then such Person shall insert in the Paper to be delivered by him as aforesaid, from what Person or Persons, and by what Conveyance or Conveyances, or Title in Law, he claims and derives the same; and also what Consideration, if any, has been paid for the same, and the Name or Names, and Place or Places of Abode of the Witness or Witnesses to such Conveyance or Conveyances, and Payment.

And be it further enacted, by the Authority aforesaid, That where the Qualification of any Person to be

a Member of the House of Commons, is by reason of his being the eldest Son of any Person qualified to serve as a Knight of a Shire for any County within that Part of Great Britain called England, or the Dominion of Wales, every Person so making out his Qualification, shall, before he takes the Oaths required by Law to be taken in the House of Commons, produce and leave with the Clerk of the said House, to be by him preserved and kept, an Affidavit made and sworn by himself before

or more Justices of the Peace for the County, City, or Place where he shall reside, that, according to the best of his Knowledge and Belief, his father has truly an Estate in Law or Equity, to and for his own Use and Benefit, of or in Lands, Tenements or Hereditaments, over and above what will satisfy and clear all Incumbrances which may affect the same, of the annual Value of

above Reprizes, as doth qualify him to serve as a Member of the House of Commons for the Place for which he is elected and returned, according to the true Intent and Meaning of this and the said in Part recited Act of Parliament; and so in like manner where any Person makes out his Qualification, by reason of any Estate in Reversion or Remainder, as aforesaid, every such Person so making out his Qualification, shall, before he takes the said Oaths required by Law to be taken in the House of Commons, produce and leave with the Clerk of the said House, for the Purpose aforesaid, an Affidavit by him made and sworn before

or more such Justices of the Peace, that he is seized or intituled in Reversion or Remainder, as aforesaid, of or to Lands, Tenements, or Hereditaments of such annual Value above Reprizes, as doth qualify him to be elected and returned to serve as a Member of the House of Commons for the Place for which he is elected and returned, according to the true Intent and Meaning of this and the said in Part recited Act of Parliament; in which respective Affidavits shall be contained the several Parishes, Townships or Precincts, and the County or Counties where such Lands, Tenements, or Hereditaments do lie, and the Names of the several Tenants in whose Possession the same respectively are.

And

And be it further enacted, by the Authority aforesaid, That if any Person shall sit or vote in the House of Commons after the Speaker is chosen, without having such Qualification as aforesaid, according to the true Intent and Meaning of this and the said in part recited Act of Parliament, or before he hath delivered in to the Clerk of the House of Commons a Paper containing the Parish, Township, or Precinct, or the Parishes, Townships, or Precincts, and the County or Counties, where the Lands, Tenements, or Hereditaments do lie, whereby he makes out his Qualification, or before he hath taken the said Oath of Qualification in the manner herein before appointed to be taken, or before he hath left with the Clerk of the House of Commons an Affidavit, as before directed and required, according to the Nature of the Case; that then, and in every or any of the said Cases, the Election and Return of every such Person so sitting and voting, shall be, and is hereby declared to be and the Place for which such Person was elected and returned, shall be, and is hereby declared to be

And further, that every such Person so sitting and voting shall

to be recovered with Costs of Suit
by him that shall prosecute or sue for the same, by Action of Debt, Bill, or Information, in any of his Majesty Courts of Record at *Westminster*, wherein no Es-
souign, Wager of Law, or any more than one Impar-
lance shall be allowed, provided that such Prosecution
be commenced within Months next after such
shall be incurred, and not otherwise.

And be it further enacted, by the Authority aforesaid, That if the Qualification of any Member shall, in any ensuing Parliament, be objected to by any Petition relating to his Election, or by any other Member of the House of Commons (which may be done at any Time during the Continuance of that Parliament in or to which he is elected and returned;) the Member, whose Qualification is so objected to, shall, within Days next after such Petition is read, or Objection made by any other Member, deliver to the Clerk of the

of the House of Commons a true Rental or Particular, signed with his own proper Name and Hand-writing, mentioning not only the Parish, Township, or Precinct, or the Parishes, Townships, or Precincts, and the County or Counties, where the Lands, Tenements, or Hereditaments do lie, whereby he makes out his Qualification, but also the Name or Names of the respective Tenant or Tenants, in whose Possession the same severally are, and the respective annual Value or Values thereof; and if upon Inquiry and Examination it shall appear, that the Member, whose Qualification is so objected to, is not duly qualified, according to the true Intent and Meaning of this and the said in Part recited Act; or if such Member shall neglect or refuse to deliver in such Rental or Particular within the Time before limited for that Purpose; that then, and in either of the said Cases, the Election and Return of every such Member shall be, and the Place for which he was elected and returned shall be

and he shall be subject to the like

to be recovered

with Costs of Suit, as aforesaid.

And be it further enacted, by the Authority aforesaid, that all Gifts, Grants and Conveyances of any Lands, Tenements, or Hereditaments, and all Estates made or created in a fraudulent Manner, with Intent or Purpose to qualify any Person or Persons to sit and vote in the House of Commons, and subject to any Proviso, Condition, Agreement, or Power of Revocation, to alter, determine, defeat, or reconvey the same, shall be deemed and taken, and are hereby declared to be free and absolute, as against the Person or Persons who made and executed any such Gift, Grant, or Conveyance, or created any such Estate, or was or were Party or Parties to any Agreement or Agreements for that Purpose, and shall be wholly and absolutely freed and discharged of and from all and every such Provisos, Conditions, Agreements and Powers of Revocation; and that all Judgments, Bonds, Covenants, and all other Obligations, Securities, and Engagements whatsoever, made, executed, confessed, or given by any Party or Parties to any such Agreement or Agreements for conveying

conveying, revoking, redeeming, determining or defeating such Estate or Estates, shall be, and are hereby declared to be, *ipso facto*, void to all Intents and Purposes; and the Person or Persons who made or executed any such Gift, Grant, or Conveyance, or created any such Estate, shall, by virtue of this present Act, be incapable of having or taking back any Estate or Interest in any such Lands, Tenements, or Hereditaments, or any Part thereof, or of having, accepting or taking any Regrant or Reconveyance thereof, or of any Part thereof, to himself, or to any other Person or Persons in Trust for him, or to his Use or Benefit.

Provided always, and be it further enacted by the Authority aforesaid, That so much of the said Act made in the ninth Year of the Reign of her late Majesty Queen *Anne*, as is not by this present Act altered, repealed or made void, shall be, and the same is hereby ratified and confirmed, in as full, large and ample Manner, as if the same had been inserted or re-enacted in the Body of this present Act.

The next Bill I shall take notice of, was a Bill for registering all Seamen, Watermen, Fishermen, Lightermen, Keelmen, Bargemen, and Seafaring Men capable of Service at Sea, throughout his Majesty's Dominions. The Motion for Leave to bring in this Bill was made by Sir *Charles Wager*, and seconded by Lord *Vere Beauclerk*, and Leave being given, the said two Gentlemen, together with Sir *John Norris*, Sir *Thomas Lyttleton*, Sir *Thomas Frankland*, Mr. *Clutterbuck*, the Lord *Harry Powlett*, Mr. *Campbell of Pembroke*, Mr. *Burchet*, and Mr. *Thomas Corbet*, were ordered to prepare and bring in the same.

Bill for re-
gistering
Seamen.

As this Bill, according to the Plan designed, required great Consideration, it was not fully prepared till the 5th of February, when it was presented to the House by Sir *Charles Wager*, and being read a first Time, was ordered to be read a second Time, and to be printed. As soon as it was printed and delivered to the Members, many of them thinking it of dangerous Consequence to the Liberties of the People, sent Copies of it to their Constituents, and Petitions were preparing in many Places to have been presented against it, in case the

the Bill had been pushed ; but the Bill being by an express Order read a second Time on the 19th, and a Motion made for committing it, the Question was, without any considerable Debate, and without a Division, carried in the Negative, which put an End to the Bill ; however, as many of my Readers may not have seen, and may be curious to see this famous Bill, I shall give them a Copy of it as follows, *viz.*

A Bill for registering all Seamen, Watermen, Fishermen, Lightermen, Keelmen, Bargemen and Seafaring Men, capable of Service at Sea, throughout his Majesty's Dominions.

WHEREAS the Welfare and Prosperity of his Majesty's Dominions are greatly concerned in giving all due Encouragement to Mariners and Seamen :

And whereas it is necessary, that the State and Numbers of such of his Majesty's Subjects, whose Livelihood and Occupation are chiefly upon the Waters, should be at all Times known, in order to the attaining a better and more equal Method, than has been hitherto practised, of bringing a competent Number of able Men to serve in the Royal Navy, for the Honour and Defence of their Country : Be it therefore enacted,

By the King's most excellent Majesty,

By and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Seamen, Fishermen, Lightermen, Bargemen, Keelmen, Boatmen, Coblemen, Watermen, and all other his Majesty's Subjects within the Kingdoms of Great Britain and Ireland, the Islands of Guernsey and Jersey, the British Plantations, and all other the Dominions belonging to the Crown of Great Britain, who get their Livelihood by going to Sea, or by following any Business upon the Waters, being of the Age of Years, or upwards, but under the Age of Years, shall and may be registered in manner herein after-mentioned and provided ; and all and every Person and Persons, who shall be registered in pursuance of this

this Act, shall be obliged to serve his Majesty, his Heirs and Successors, in the Royal Navy, when and as they respectively shall be summoned and warned thereto by the respective Officers appointed, and to be appointed by virtue and in pursuance of this Act, excepting the Master of every Ship or Vessel of the Burthen of Tons, or upwards; and except the first Mate, the Boatswain, and the Carpenter of every Ship or Vessel of the Burthen of Tons, or upwards:

And it is hereby further enacted, by the Authority aforesaid, That if any Person required or liable to be registered in Pursuance and within the Meaning of this Act, shall neglect or refuse to be registered accordingly within the Times herein after limited; that is to say, such of the said Persons as shall at the Commencement of the Registry be within any of the Dominions of the Crown of *Great Britain*, within the Space of next after the Commencement of such Registry, and such Persons as shall then be out of the said Dominions within after their Return to any of the said Dominions, every Person so offending shall

And, for the better, more speedy, and effectually obtaining such Registry of Persons qualified for the Sea Service, and answering the Ends proposed by this Act, it is hereby further enacted, That all the Dominions of the Crown of *Great Britain* shall be divided or distinguished, or be considered for the Purposes of this Act, as divided and distinguished into

different and distinct Divisions; the first containing and comprising that Part of *Great Britain* called *England*, the Islands of *Guernsey* and *Jersey*, and all other the Dominions belonging to the Crown of *Great Britain*, except that Part of *Great Britain* called *Scotland*, and the Kingdom of *Ireland*; the second containing and comprising that Part of *Great Britain* called *Scotland*, and the third containing and comprising the Kingdom of *Ireland*; and that each of the said Divisions shall and may be subdivided and distributed into so many inferior or subordinate Districts, as the Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*,

Britain, or any or more of such Commissioners respectively, by Instruments or Writing under the Seal of the Office of Admiralty, shall respectively order, prescribe, direct and appoint; and that in each District there shall be established and kept a Registry-Office for the Purposes of this Act, in such Port or Place in each of the said Districts respectively, as shall by them respectively be assigned or appointed.

And it is hereby further enacted, That the Registry-Office to be established for *England*, the Islands of *Guernsey* and *Jersey*, and other the Dominions belonging to the Crown of *Great Britain*, except *Scotland* and *Ireland* as aforesaid, shall be the principal and head Office for the Purposes herein after mentioned, and shall be kept and executed and be under the Management and Direction of such Persons, not exceeding in Number, as the Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral, or any or more of such Commissioners shall from time to time for that purpose nominate and appoint.

And be it further enacted, That the Registry-Office for that Part of *Great Britain* called *Scotland*, shall be kept and be under the Direction and Management of and the Registry Office for the Kingdom of *Ireland* shall be kept and executed and be under the Management and Direction of

and that in each of the inferior Districts to be formed and established pursuant to this Act, there shall be kept an Office for registering of Seamen, and such other Persons as are hereby required and intended to be registered at such Ports and Places, within the said Districts respectively, as the said Lord High Admiral, or Commissioners of the Admiralty, or any or more of such Commissioners for the Time being, shall by such Instruments or Writings, as aforesaid, direct or appoint; which said Offices to be kept in the said several Districts, shall be under the Management and Direction of or of such other Person or Persons, as the Lord High Admiral of *Great Britain*, or the Commissioners of the Admiralty,

Admiralty, or any of such Commissioners for the Time being, shall in that Behalf direct or appoint.

And it is hereby further enacted, That the several Officers to be appointed as aforesaid, and the Offices to be kept and executed by them respectively as aforesaid, shall from time to time, and at all times, be subject to the Government, Direction, Superintendency and Comptrol of the Lord High Admiral of *Great Britain*, and the Commissioners for executing the said Office of Lord High Admiral for the Time being; and that it shall and may be lawful for the said Lord High Admiral and Commissioners of the Admiralty for the Time being, or any of such Commissioners from time to time to nominate, appoint, remove, displace and substitute such Officers and Servants, to serve, attend and assist in the Execution of the said Offices, as to them respectively shall seem necessary and expedient; and that all Orders, Rules and Directions necessary for the commencing, establishing, and executing the Offices of Registry, pursuant to the Tenor and true Meaning of this Act, which shall be made, given and provided by the Lord High Admiral of *Great Britain*, or the Commissioners for executing that Office, or any of such Commissioners for the Time being, to the Officers for executing the principal or chief Offices of Registry appointed by this Act, and by them in Conformity thereto, and to this Act given, transmitted or directed to the subordinate Officers of the several Districts within their respective Divisions, shall and may be obeyed, executed and performed by all the Persons ordered and directed to perform and execute the same, upon pain of

And it is hereby further enacted, by the Authority aforesaid, That when and as often as any Marine, Seafaringman, or other Person liable or required to be registered by this Act, shall offer himself to be registered, the Officer of the said Office, whereto such Person shall resort for that purpose, shall, in a proper Book to be kept for that purpose, enter the Christian and Sir-name, and Age and Stature of such Person, his Place of Abode, and the particular Class or Species of his Employment upon the Water, that is to say, whether he be a Seaman, Fisherman, Lighterman, Bargeman, Boatman,

Keelman, Cobbleman, Waterman, or in any other Service or Employment on the Water; and immediately after such entry shall deliver to the Person, so coming to be registered, a Certificate on Parchment signed by the said Officer, and sealed with the Seal of his Office, containing and denoting the Names, Age, Stature, Place of Abode, and Employment of such Person.

And it is hereby further enacted, That if any Person shall happen to lose the Certificate of his Registry, and make Oath thereof before a Justice of the Peace, which Oath such Justice is hereby authorised and required to administer, the Officer of the District, to which such Person shall belong, shall upon producing an Affidavit or Certificate of such Oath's being taken, under the Hand of such Justice, and he is hereby required to make out a fresh Certificate for such Person in the room of the former so lost as aforesaid; all which Oaths, Affidavits and Certificates requisite and necessary to be had, taken, made and granted for the Purposes aforesaid, shall be respectively had, taken, made and granted without Fee or Reward; and shall not be chargeable with any of the Stamp Duties.

And it is hereby further enacted, That no Person registered as aforesaid shall remove himself, or change his Residence from any one District to another, without first acquainting the Officer of such District with such his Removal; which Officer shall in that Case receive from the Person so changing or removing, his Register or Certificate, and discharge or transfer him from his Books to the District he intends to remove into, and give him a Certificate thereof to the Officer of such new District, who, upon receipt of such Certificate, and not otherwise, shall register him in his Books, and give him a Certificate of the same; and the Officer discharging or transferring such Man or Men, shall send a List or Account of him and them respectively, to the Officer of the District whereinto he and they propose to remove; and in Case any such Person or Persons so proposing to remove, shall not appear before the Officer into whose District he shall be transferred, within so many Days from the Time of the signing his Certificate of Removal, as they may travel from the Place they removed from, to the Place they removed to, com-

puting

puting Miles for each Day's Journey, then the Officer, into whose District such Man or Men shall be transferred, shall and is hereby required to send a List of such Defaulters to the Secretary of the Admiralty, in order that they may be thereupon sought after and
and in case any Person, so registered as aforesaid, shall remove or change his Residence from the District wherein he was last registered, to any other District, without first giving Notice thereof to the Officer of the District from whence he intends to remove, every Person so neglecting to give such Notice as aforesaid, shall in such Case be

And it is hereby further enacted, That the respective Officers of each District shall, and they are hereby required to enter in a Book, to be kept for that purpose, the Names and proper Descriptions of all such registered Men as shall at any time be discharged from any Ship or Vessel, and inhabit and reside in their respective Districts; and shall also duly mark and set off in the said Book the Time of the Death, Discharge or Removal of every such Person, so soon as the same shall come to the Knowledge of such Officers respectively, to the End and Intent it may always be known what Number of registered Men may be had for his Majesty's Service; and for this purpose, the Commanders and Masters of all Merchant Ships and Vessels belonging to the Subjects of the Crown of *Great Britain*, shall, within Days after coming into their delivering Port, and they are hereby required to give an Account under their Hands to the Officer of the District within which such Port is situate, of the Names of the Mariners they had on board at the Time of their so coming in; and if any Commander or Master of any such Ship or Vessel shall neglect or refuse so to do, every Person so offending, shall for every such Offence

And for the better executing the Purposes of this Act, and for preventing Desertion as well from Merchant Ships and Vessels as Men of War, it is hereby further enacted, That no Captain or Commander of any Ship or Vessel belonging to his Majesty, his Heirs or Successors, shall discharge any register'd Man without giving him a Certificate

of such Discharge, upon pain of

And if any Commander or Master of any Merchant Ship or Vessel shall entertain any Man to serve on board his Ship or Vessel, unless he produce such Certificate, together with a Certificate of his Registry, or without acquainting therewith the Officer of the District wherein it shall happen, every such Master or Commander shall for every Man so entertained contrary to the Tenor and true Meaning of this Act

And it is hereby further enacted, That if any Man registered in pursuance of this Act shall make, use or procure any false Certificate or Certificates in any way relating to the Registry intended to be established hereby, and shall be convicted thereof by the Oath of one or more Person or Persons before any Justice or Justices of the Peace for the County or Place where such Offence shall be committed, which Oath such Justice is hereby authorised and required to administer, every Person so offending shall

Provided always, and it is hereby further enacted, That if any registered Men belonging to any one District shall be discharged from his Ship in another District, every Person so discharged, and producing his Certificate of Registry and Discharge to any of his Majesty's civil or military Officers, who shall require to see the same, shall and may be permitted to pass to his own proper District from the District where he was discharged, without any Hindrance, Lett, or Molestation whatsoever.

And it is hereby further enacted, by the Authority aforesaid, That when Men are wanted for the Navy of his Majesty, his Heirs and Successors, the Lord High Admiral of *Great Britain*, or the Commissioners for executing that Office, or any of them, shall and may, and they are hereby respectively required to issue Orders to the Officers of the general Registry for *England*, to levy the necessary Numbers; and that thereupon the said Officers shall and do, and they are hereby required to give the proper Directions, as well to the Officers general of the Divisions of *Scotland* and *Ireland*,

Ireland, as to the Officers of the several subordinate Districts of England for levying their several and respective Quota's or Numbers of Men for that purpose, the same to be regulated, ascertained, and proportioned according to the Number of registered Men then remaining in each District of England, Scotland, and Ireland respectively; and the Officers of and belonging to the said several Districts respectively, upon receipt of such Orders and Directions, shall and do, and they are hereby respectively required to summon to appear at their respective Offices in Days from the Date of such Summons, all registered Seamen with their respective Districts; which Summons shall be affixed on the Church Doors of the respective Parishes, and other the most proper Places within the said Districts respectively, to the Intent that none may plead Ignorance thereof.

And it is hereby enacted, That after such Summons as aforesaid, no Man shall be received or kept from answering the said Summons by the Masters or Persons having Charge of Merchants Ships or Vessels, until the Number of Men required to be levied within that particular District shall be supplied; and if any Master or Person having Charge of any Merchant Ships or Vessels shall offend herein, he shall for every such Offence

And it is hereby further enacted, That when any Men shall appear at the Registry Offices respectively, according to the Summons to be issued pursuant to the Directions of this Act, the respective Officers before whom such Men shall so appear, shall and do, and they are hereby required to warn so many of them to his Majesty's Service as the said Officers respectively shall have been ordered to furnish; but shall always select and make choice of those who from the Testimonials and Certificates herein before directed to be made and given, shall appear to have been longest out of the said Service; and the respective Men so serving in pursuance of such Warning, shall be intituled to their Pay from

And it is hereby further enacted, That when any Men are to be raised to serve on board the Ships of his Majesty, his Heirs and Successors, the Lord High Admiral

The ANNALS

miral of Great Britain, or Commissioners of the Admiralty for the time being, or any or more of them, are hereby authorised and required to order and direct proper Tenders, Ships and Vessels, to be sent to proper Places for the Reception of such Men from the respective Officers, and to carry them to the Fleet; and upon the Arrival of such Tenders, Ships or Vessels, the said Officers respectively shall and do, and they are hereby required to summon to their respective Offices the Men so by them to be warned to the Service as aforesaid, and cause them to be put on board the said Tenders, Ships or Vessels so appointed for their Reception, and to give and deliver proper Lists of the said Men to the Captains or Officers commanding or having Charge of such Vessels respectively, which said Captains or Officers are hereby required to give Receipts for such Men to the Officer of the Registry, and to deliver the said Lists or Extracts of them signed by themselves, as occasion may require, to the Captain or Captains of his Majesty's Ship or Ships, wherein the said Men shall be appointed to serve; and every Man serving on board such Ship shall, before the said Ship goes to Sea, receive the Sum of as a Bounty over

and above his Wages.

And it is hereby further enacted, by the Authority aforesaid, That if any Man, so summoned or warned in manner and pursuant to this Act, shall not appear and render himself at the Time and Place, in and by the Summons or Warning to be appointed, not being prevented by Sicknes, or some other real Inability, the respective Officers, at whose Offices respectively he was summoned or appointed to appear, shall cause publick Notice of such Failure, or Neglect of Appearance to be affixed upon the Church Doors of the Parish wherein such Men did reside at the Time of such Summons, and in other Places, thereby promising a Reward of to be paid by such Officer to any Person who shall secure and deliver such Defaulter to him; and such Officer, upon the Delivery of any such Man, pursuant to such Notice, is hereby authorized and required to pay the said accordingly; and also to carry, or cause such Defaulter to be carried before the next Justice of the Peace, who, upon Oath being

being made before him (which Oath he is hereby impowered to administer) that such Defaulter was duly warned and summoned as aforesaid, and that he failed to render himself accordingly, shall

And it is hereby further enacted, That if it shall be necessary at any time or times to send Men from one Port to another by Land, the Distance shall be computed, and the respective Officers of the Districts from which such Men shall be sent, shall pay to every such Man after the Rate of per Mile, for his travelling Charges; and that the Chest and Bedding of each such Man shall be conveyed at his Majesty's Expence, so as the Distance exceed not Miles; and such Officers respectively are hereby required to send a List of such Men as aforesaid, to the chief naval Officer or Officers of the Registry at the Port whither they shall be sent; and such Men, upon their Arrival there, are hereby required to apply to the chief Naval Officer or Officers of the Registry, to be disposed of in the Service of the Navy.

And it is hereby further enacted, That if any such Man as aforesaid, do fail of rendering himself at the Place or Places whither he shall be sent, then, and in such Case, the chief naval Officer, or the Officer of the District whither such Defaulter was sent, or ordered to go, shall forthwith give Notice to the Secretary of the Admiralty, to the Intent that Orders and Directions may be given for the apprehending and taking the Person so offending; and every Person so offending shall

And it is hereby further enacted, That if any Person shall harbour or conceal any such Defaulter, knowing him to be such, and be convicted thereof by the Oath of or more or Witnesses before any of his Majesty's Justices of the Peace (which Oath such Justice is hereby authorized and required to administer) every Person so offending shall for every such Offence

And it is hereby further enacted, That in case any Ship or Vessel belonging to his Majesty, his Heirs and Successors, shall be at any of the British Plantations and Colonies, and Men shall be wanted to serve on board

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board such Ship or Vessel, then, and in such case, as often as it shall so happen, the respective Governors or chief Officers of such Colonies and Plantations respectively are hereby authorised and required, upon Application to them made by the Captain or Commander of such Ship or Vessel respectively, to give Directions to the Officer of the District, within which such Colony or Plantation is situate or comprised, to summon, raise, and levy so many unemployed registered Men as shall be wanted for the Service of such Ship or Vessel; and if a sufficient Number of such Men cannot be found, then such Governor or chief Officer is hereby authorised and required to direct the Deficiency to be supplied out of the Merchants Ships and Vessels, which shall be at such Plantation or Colony.

Provided also, That when and as often as any Marine Soldier shall become qualified for the Business of an able Seaman, and desirous to serve in that Quality, such Man shall and may be registered and entered as an able Seaman, and discharged from the Marine Service accordingly; and the Marine Officer shall and may, and is hereby required in that Case, to enlist another to serve as a Marine in his room, and shall be intituled to such levy Money as is provided by Law with relation to the raising and recruiting of Marine Forces.

And it is hereby further enacted, That all Masters or Commanders of Ships and Vessels belonging to his Majesty's Subjects, shall and do, and they are hereby required to keep a List of all the Men and Boys serving on board their Ships respectively, with the Time and Place of their entering into such Service, and give a Copy or Transcript of such List signed by himself, and all the Ship's Crew, to the Officer of the District to which each of the said Masters or Commanders shall belong, before they respectively shall proceed for Sea; and shall also set off, on each such List, the Time and Place of the Death, Discharge, or running away of any of the said Men during the Voyage, and shall also enter upon such List the Names and Descriptions of such Men as they shall enter and take into their Service respectively, and the Time and Place of their entering into such Service; and shall upon their Return give a true Copy or Transcript of such List or Entry signed by

by each such Master or Commander, his chief Mate and Boatswain, and the Persons entered into such Service during the Voyage as aforesaid, unto the Officer of such District wherein the delivering Port of such Ship or Vessel shall be situate and be; which said Copy or Transcript shall by such last mentioned Officers be transmitted to the Officer of the District wherein such Masters and Commanders respectively shall reside, who is hereby required to set off the Dead, and the Run upon his Register Book, in manner above-mentioned; and if any Master or Commander of any such Ship or Vessel shall refuse or neglect to give or deliver such Copy or Transcript, pursuant to the Directions of this A&t, every Person so offending shall, for every such Offence

And it is hereby further enacted, That if any registered Seamen shall be shipwrecked in any Part of *Great Britain, Ireland, the Islands of Guernsey, Jersey, Alderney, Sark or Man*, the Officer of the District wherein such Shipwreck shall happen, is hereby authorized and required to cause all such shipwrecked Men to be put on board such of his Majesty's Ships as may be there, or in Default thereof, on board some Merchant Ship or Vessel; or if neither of these can be done, then to be sent by the said Officer to their proper Districts; and in case they shall be sent by Sea, the Master of the Ship or Vessel so carrying them shall be allowed a Man a Day for the Time they may be on their Passage, so as the same exceed not Days; and if not conveyed by Sea, then the Distance between the Place of Shipwreck and the Place of their respective Residence shall be computed, and every such Shipwrecked Mariner shall be allowed for travelling Charges by Land a Mile, not exceeding Miles; and in case any such shipwrecked Mariner shall be in want of Clothes or Linen, as are absolutely necessary, and be unable to provide themselves therewith, the Officer of the District where such Shipwreck shall happen, is hereby authorized and required to furnish him therewith at the Expence of his Majesty, his Heirs and Successors, not exceeding taking the Party's Acknowledgment of the same under his Hand, attested by Witnesses, and to charge the Money in his Account of Disbursements for the Registry. And

And it is hereby further enacted, by the Authority aforesaid, That when and as often as any Ship in the Service of his Majesty, his Heirs and Successors, shall be paid off, every registred Man then serving on board such Ships, shall either be conveyed in some Ship or Vessel to the Place of his Residence, at the Charge of his Majesty, his Heirs and successors, or shall be allowed for Conduct Money or travelling Charges from the Place where such Ships shall be paid off, to the Place of his Residence, after the Rate of for every Mile, of the Distance between these two Places respectively, not exceeding Miles, to be paid him by the Officer of the District where such Ship was paid off, upon such Receipt or Acknowledgment as aforesaid, and to be placed to the Account of Disbursements for the Registry as afore-mentioned.

And it is hereby further enacted, That from and after which shall be in the Year of our Lord every registred Person as aforesaid, who shall have served well Years or more in the Royal Navy, between his Age of and Years, to be signified by a proper Certificate under the Hands and Seal of Office of the Commissioners of his Majesty's Navy, or any of them, shall at any time after his Age of Years be minded to quit the Sea Service, he shall be discharged from the Registry, and from thenceforth such Man shall be entirely exempt from all further Service in his Majesty's Navy, but shall be still allowed to serve in any Merchant Ship or Vessel belonging to any of his Majesty's Subjects, under the same Regulation with other Men, serving in the like Capacity; and all Masters and Commanders of such Merchant Ships and Vessels, are hereby authorised and declared to be at Liberty to entertain any such Man or Men, upon his or their producing such Certificates as aforesaid.

And it is hereby further enacted, That if any such Person as aforesaid so discharged, be inclined to set up and follow any lawful Calling or Business, the better to support himself or Family, every such Seaman shall be at Liberty so to do in any Place, and upon producing to the chief Magistrate or Magistrates of any City or Town

Town corporate, such Certificate under the Hands and Seal of Office of the Commissioners of the Navy, or any of them, as aforesaid ; and after he shall have dealt and followed such lawful Calling or Business for the Space of one whole Year, in any such City or Town corporate, he shall be intituled to the Freedom thereof, in all it's Branches, and enjoy the same so long as he shall continue to dwell there.

And it is hereby further enacted, That if any registered Seaman, under the Degree of a Commission or Warrant Officer in his Majesty's Navy, shall be slain in fight with an Enemy, Pirate, or Rebel, and shall leave a Widow, to whom he was lawfully married, every such Widow procuring a Certificate of such her Marriage from the Minister or Churchwardens of the Parish where such Marriage was had, and also a Certificate of the proper Officers under whom such Seaman so slain served at the Time of his Death, or or more of the Commissioners of the Navy, of the manner of his Death, and also an Affidavit that she continues the Widow of such Seaman so slain, shall and may have and enjoy a Pension of Pounds a Year during her Widowhood, over and above the present Allowances and Bounties, to which such Widows are now respectively intituled from the Crown ; and the Child or Children of every such Seaman so slain shall have and enjoy a Pension or Allowance of per annum a-piece, until they shall respectively attain the Age of Years.

And it is hereby further enacted, That every Person, so registered as aforesaid, shall be intituled to all other the Rights, Privileges, Benefits and Advantages granted, provided, and belonging to and for Seamen who voluntarily enter into his Majesty's Service by any Law or Statute now in Force and Being.

Provided always, and it is hereby enacted, That the Cinque Ports, and the Towns and Members thereof, and all the Places lying within the Precincts and Jurisdiction of the same, shall constitute and be esteemed one of the Districts for registering Seamen within the Meaning of this Act ; and the Register-Office to be kept for that District, shall be executed by such Person and Persons, and at such Place or Places within the same District,

strict, as the Lord Warden of the Cinque Ports for the time being, or in case there shall be no Lord Warden, or in his Absence, as the Lieutenant of *Dover Castle* for the time being, shall from time to time nominate, direct or appoint; any thing in this Act contained to the contrary notwithstanding.

And it is hereby further enacted, by the Authority aforesaid, That all and every the hereby upon, and and directed to be by any Person or Persons, for any Fact or Offence which by this Act is made cognizable by, or referred to the Determination of any Justice or Justices of the Peace, shall be

And it is hereby further enacted, That if any Magistrate or Officer, or any Commander or Officer, civil or military, being in the Service of his Majesty, his Heirs and Successors, who are respectively hereby authorized, required, and enjoined to act and assist in the Execution of this present Act, or relating thereto, shall neglect or refuse to perform his Duty therein, and to pursue the Rules and Directions thereby required, directed and prescribed, every Person so offending shall

And it is hereby further enacted, That all the inflicted, and declared, and directed by this present Act, other than and except such as are herein before otherwise provided for, shall and may be

And be it further enacted, by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act; in any such case the Defendant or Defendants in such Action or Suit may plead the general Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be non-suited, or discontinue the Action after the Defendant or Defendants shall have appeared, or if upon Demurrer

Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Costs, and have the like Remedy for the same, as any Defendant or Defendants have for Costs in any other case by Law.

As soon as the Question passed against committing this Bill, the House resolved, that on *Monday Morning* then next, it would resolve itself into a Committee of the whole House, to consider of Heads of a Bill for the further and better Encouragement of Seamen to enter *voluntarily* into his Majesty's Service; and though the Proceedings of this Committee did not come the Length of a Bill, yet, because of their Connexion with the foregoing Bill, I shall here give an account of them:

Resolutions
for a voluntary Register
of Seamen.

This Committee being put off till *Monday the 3d of March*, the House then resolved itself into the said Committee, and having made a Progress, the Affair was again resumed upon the *12th*, on which two Days the Committee came to the following Resolutions, *viz.*

Resolved, That it is the Opinion of this Committee,
1st, That a voluntary Register of Seamen will be of great Utility to this Kingdom.

2d, That the Register shall extend to all the Dominions of the Crown of *Great Britain*.

3d, That the Fraternity of *Trinity House of Deptford Strand* be intrusted with the Management of the said Register, with Power of appointing inferior Officers and Servants, necessary for the Execution of the said Trust.

4th, That a certain Sum of Money be paid to every Man who is willing to register.

5th, That every registered Man shall be obliged to give an Account of the Place of his Abode to the Register Office.

6th, That the registered Men shall be divided into Classes.

7th, That a yearly Pension be allowed to every registered Man, who shall be disabled in Fight, over and above such Allowances as are now given, and a yearly Pension to every Widow of a registered Man, slain in Fight, over and above the present Allowances made to such Widow, and if the Party leaves any Children,

that

that each of them have a yearly Pension, until they arrive at the Age of fourteen.

8th, That every registered Man be exempted from paying the King's or Parish Taxes, or serving in any Parish Offices, or serving in or contributing towards the Militia.

9th, That none be preferred to be petty Officers in any of his Majesty's Ships but registered Men.

10th, That all petty Officers in Merchants Ships, as Boatswains, Gunners, &c. be chosen out of registered Men.

10th, That all Men who shall register themselves, do remain on the Register no longer than to a certain Age.

12th, That all Men who shall have continued on the Register to a certain Age, do enjoy all the Advantages of registered Men during Life.

13th, That all registered Men shall have the Preference of being admitted into *Greenwich Hospital*.

14th, That all Captains or Commanders of his Majesty's Ships of War, who shall be applied to in Foreign Parts, shall take on board any registered Men, and the Men so taken on board shall from that time be deemed Part of the Ship's Company, and receive Wages accordingly.

15th, That registered Men be allowed to go into the Merchants Service, when the Service of his Majesty shall not require them; and that the proper Officers do give them Certificates for the same.

16th, That registered Men be intituled to receive their Wages in certain Proportions.

17th, That all Seamen now absconding in Foreign Parts, or at Home on account of running of Goods, who shall enter on board any of his Majesty's Ships, and claim the Benefit of this Register, shall be intituled to their Pardon, except Persons who have been concerned in actual Murther.

18th, That all registered Men, who shall be summoned to appear on board any of his Majesty's Ships, and shall neglect or refuse to do the same, shall be subject to be punished as Deserters.

19th, That all Foreign Seamen, who shall claim the Benefit of this Register, shall be intituled to all the Rights and Privileges of natural born Subjects.

20th,

20th, That the Trustees of Charity Schools for the Education of Boys shall be obliged to put forth Apprentice to the Sea Service, such as shall find Masters willing to take them.

21st, That registered Men shall wear some honorary Mark of Distinction.

22d, That the Register Office be obliged to give an Account to the Lord High Admiral, or the Commissioners for executing the Office of the Lord High Admiral for the Time being, of all the Men that shall be registered.

23d, That the Register Office shall on the Receipt of an Order from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, for any Number of Men contained on the Register, issue out their Orders for the said Number of Men to appear according to the Order directed to them, as aforesaid.

These Resolutions were on the 13th reported to the House by *Henry Fox Esq; Chairman of the Committee*, when the first and second Resolutions being read a second Time, were agreed to by the House; but the Question being put upon the third Resolution, it passed in the Negative, whereupon the Consideration of the said Report was adjourned till that Day Sevennight, and then dropt.

The Bill, intituled, *An Act for the publick registering Land Register Bill.
of Deeds, Conveyances, and Incumbrances that shall be made of or may affect, Honors, Manors, Lands, Tenements or Hereditaments, within that Part of Great Britain called England, and the Dominion of Wales, wherein Publick Registers are not already appointed by Act of Parliament;* claims, on account of it's Importance, the next Place in these Annals. This Bill was first brought into the House of Lords, by the Judges, according to their Lordships Order in the preceding Session; and after many Alterations, and much debating there, it was at last sent down to the House of Commons, on the 11th of April, where it was read a first Time, and ordered to be read a second Time. On the 16th, it was read a second Time, and committed to a Committee of the whole House for the Monday following, when the House resolved itself into the said Committee,

Committee, and made several Amendments and Alterations; after which Mr. Speaker having resumed the Chair, *Stephen Fox, Esq;* the Chairman of the Committee, reported, that they had made a Progress in the Bill, and desired Leave to sit again; whereupon it was resolved that the House would next Morning resolve itself again into the said Committee; but the Order and Bill were then dropt.

As this was a Bill of great Consequence, and as some such Bill seems to be necessary, I shall give my Readers a Copy of it as follows, *viz.*

An Act for the publick registering of Deeds, Conveyances, and Incumbrances, that shall be made of or may affect Honours, Manors, Lands, Tenements, or Hereditaments, within that Part of Great Britain called England, and the Dominion of Wales.

WHEREAS Publick Registeries of Deeds, Conveyances and Incumbrances, which may affect Lands, or other real Estates, within that Part of Great Britain called *England*, and the Dominion of *Wales*, where they are not already appointed by Act of Parliament, may be for the Benefit and Security of your Majesty's Subjects;

May it please your most excellent Majesty,

That it may be enacted; and be it enacted, by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That one general Office be kept at some convenient Place in *London* or *Middlesex*, for registering of Deeds, Conveyances and Incumbrances, made of or affecting Honours, Manors, Lands, Tenements, or Hereditaments, within that Part of Great Britain called *England*, or in the Dominion of *Wales*, where no Register Office is already appointed and established by Act of Parliament, be provided, fitted up, and accommodated by such Person and Persons, who from time to time shall keep and execute such general Register Office, as shall be constituted by

Virtue

Virtue of this Act: and that one publick Register Office for each of the several Counties, Divisions, Cities, Towns and Places herein after-mentioned, for registering of Deeds, Conveyances, and Incumbrances made of or affecting Honours, Manors, Lands, Tenements, or Hereditaments, lying or being in the said Counties, Divisions, Cities, Towns, and Places respectively, or the Jurisdictions, Franchises, or Limits thereof, shall be provided, fitted up, and accommodated by such Persons respectively as shall be appointed to keep and execute such publick Register Offices by the Authority of this Act; which said publick Register Offices shall be provided, kept and executed in the several Places following; (that is to say) For the County of *Bedford*, in the Town of *Bedford*; for the County of *Berks*, in the Town of *Reading*; for the County of *Bucks*, in the Town of *Aylesbury*; for the County of *Cambridge*, the Town and University of *Cambridge*, and the Isle of *Ely*, in the Town of *Cambridge*; for the County Palatine of *Chester*, in the City of *Chester*; for the City and County of the City of *Chester*, in the said City; for the County of *Cornwall*, in the Town of *Leftwich*; for the County of *Cumberland*, in the Town of *Cockermouth*; for the County of *Derby*, in the Town of *Derby*; for the County of *Devon*, in the City of *Exeter*; for the City and County of the City of *Exeter*, in the same City; for the County of *Dorset*, in the Town of *Dorchester*; for the Town and County of the Town of *Pool*, in the Town of *Pool*; for the County Palatine of *Durham*, in the City of *Durham*; for the County of *Essex*, in the Town of *Chelmsford*; for the City and County of the City of *York*, in the City of *York*; for the County of *Gloucester*, in the City of *Gloucester*, for the City and County of the City of *Gloucester*, in the same City; for the County of *Hertford*, in the City of *Hertford*; for the County of *Hertford*, in the Town of *Huntingdon*; for the County of *Kent* (exclusive of the Cinque Ports, two ancient Towns or Members) in the Town of *Maidstone*; for the City and County of *Canterbury*, in the City of *Canterbury*; for the County Palatine of *Lancaster*, in the Town of *Preston*; for the County of

Leicester, and the Borough of Leicester, in the Town of Leicester; for the Division of Lindsay in the County of Lincoln, in the City of Lincoln; for the Division of Holland in the same County, in the Town of Boston; for the Division of Kesteven in the same County, in the Town of Grantham; for the City of Lincoln, and the County of the said City, in the same City; for the City of London, and Liberties thereof, in the same City; for the County of Monmouth, in the Town of Monmouth; for the County of Norfolk, in the City of Norwich; for the City and County of the City of Norwich, in the same City; for the County of Northampton, in the Town of Northampton; for the County of Northumberland and Town of Berwick upon Tweed, in the Town of Alnwick; for the Town and County of the Town of Newcastle upon Tyne, in the Town of Newcastle upon Tyne; for the County of Nottingham, in the Town of Newark upon Trent; for the Town and County of the Town of Nottingham, in the same Town of Nottingham; for the County, City, and University of Oxford, in the City of Oxford; for the County of Rutland, in the Town of Oakham; for the County of Salop, in the Town of Shrewsbury; for the County of Somerset, in the Town of Taunton; for the City and County of the City of Bristol, in the same City; for the County of Southampton, in the City of Winchester; for the Town and County of the Town of Southampton; for the County of Stafford, in the Town of Stafford; for the City and County of the City of Lichfield, in the same City; for the County of Suffolk, in the Town of Ipswich; for the County of Surry, in the Town of Kingston upon Thames; for the County of Sussex, exclusive of the Cinque Ports, two ancient Towns or Members, in the Town of Lewes; for the County of Warwick, in the Town of Warwick; for the City and County of the City of Coventry, in the same City; for the County of Worcester, in the City of Worcester; for the City and County of the City of Worcester, in the same City; for the County of Wilts, in the Town of Devizes; for the County of Westmoreland, in the Town of Appleby; for the County of Anglesea, in the Town of Beaumaris; for the County of Brecon, in the Town of Brecknock; for

for the County of *Cardigan*, in the Town of *Cardigan*; for the Town of *Carmarthen*, in the Town of *Carmarthen*; for the County of *Carnarvon*, in the Town of *Carnarvon*; for the County of *Denbigh*, in the Town of *Denbigh*; for the County of *Flint*, in the Town of *Flint*; for the County of *Glamorgan*, in the Town of *Cardiff*; for the County of *Merioneth*, in the Town of *Bala*; for the County of *Montgomery*, in the Town of *Montgomery*; for the County of *Pembroke*, in the Town of *Pembroke*; for the Town and County of the Town of *Haverford-West*, in the same Town; and for the County of *Radnor*, in the Town of *Presteign*.

And it is enacted, by the Authority aforesaid, That the said Office of general Register, to be established and kept in *London* or *Middlesex*, shall be, and is hereby vested in the Master of the Rolls for the Time being, who shall always have and enjoy the said Office, and the Government, Direction, and Control thereof; and that the said Office shall be kept in some convenient Place in or near the Office already erected for the in-rolling of Deeds and Writings in the High Court of Chancery; and the Master of the Rolls, and his Successors, shall and may from time to time constitute and appoint two or more able and sufficient Persons to be his Deputies for the Management of the said Office, who may nominate and appoint as many Clerks or Assistants under them, to be approved by the said Master of the Rolls, as shall be thought needful and convenient; and the said Master of the Rolls, and his Successors, shall and may have full Power and Authority from time to time to make such Rules and Orders for the good Regulation and Management of the said Office, as he or they shall judge necessary; and shall and may from time to time displace or remove the Deputies so to be appointed, for any Neglect of Duty, or Breach and Violation of the said Rules or Orders; and the Deputies so to be appointed shall, before they enter upon the Execution of their Office, severally take the following Oath before the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, who are hereby empowered and required to administer the same, in the Words following:

You shall truly and faithfully perform and execute the Office and Duty that is directed and required by you to be done, in and by an Act of Parliament, intituled, An Act for the publick registering of Deeds, Conveyances, and Incumbrances, that shall be made of, or may affect Honours, Manors, Lands, Tenements, or Hereditaments within that Part of Great Britain called England, and the Dominion of Wales. So help you God.

And that the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, shall have Power and Authority to supervise the Management of the said Office, and to regulate and amend any Abuses, Irregularities, or Misdemeanors complained of therein.

And be it further enacted, by the Authority aforesaid, That the Office of Register of each of the said several Counties and Divisions shall be held, exercised, and enjoyed by the Clerk of the Peace for each of the said Counties and Divisions respectively, during so long time as he shall continue in the Office of Clerk of the Peace for such respective County or Division only; and shall be executed by him or his sufficient Deputy or Deputies; and that the said Office of Register for every City and Town, being distinct Counties of themselves, shall be held, exercised and enjoyed by the Person lawfully exercising the Duties belonging properly to the Office of Clerk of the Peace, who shall be deemed and taken to be the Clerk of the Peace of such distinct City and County, or Town and County, within the true Intent and Meaning of this Act, although distinguished or known by the Style of Town Clerk, common Clerk, or any other Style or Appellation, or by his sufficient Deputy or Deputies; which said Registers, and their Deputies, shall be subject to the Rules and Provisions herein after made and provided concerning the Execution of the said Register Offices respectively.

And it is hereby further enacted, by the Authority aforesaid, That every such Officer so to be appointed by virtue of this Act for the said respective Counties, Divisions, Cities and Counties of the same, and Towns and Counties of the same, and his and their respective Deputy

Deputy and Deputies, before he or they shall enter upon the execution of their respective Offices, shall take the Oath herein before prescribed to be taken by the Deputies of the said general Register before the Justices of the Peace in their respective Quarter Sessions for such Counties, Divisions, Cities and Counties of the same, and Towns and Counties of the same respectively, there to be recorded, who are hereby empowered and required to administer such Oath.

And for establishing a Method for carrying on and executing the said general and publick Offices of Register, and rendering the same as useful and beneficial as may be, be it further enacted, by the Authority aforesaid, That a Memorial of all Deeds and Conveyances, which from and after the 24th Day of June, which shall be in the Year of our Lord One thousand seven hundred and forty-one, shall be made and executed of, or affecting any Honours, Manors, Lands, Tenements, or Hereditaments, in that Part of *Great Britain* called *England*, and the Dominion of *Wales*, may and shall be registered at such times, and in such manner, as herein after directed, in the said general Register Office to be provided and kept, by virtue of this Act, in *London* or *Middlesex*, or else in the respective publick Register Office or Offices by virtue of this Act to be appointed for any Counties or Places, County or Place, in which, or within the Jurisdiction, Franchises, or Limits whereof, the said Honours, Manors, Lands, Tenements, or Hereditaments shall respectively lye or be; and that every such Deed or Conveyance, which shall at any time after the said 24th Day of June be made or executed, shall be adjudged fraudulent, and void against any subsequent Purchaser or Mortgagee, or other Incumbrancer, for or upon valuable Consideration, unless such Memorial thereof be registered as by this Act is directed, before the registering of the Memorial of the Deed or Conveyance, under which such subsequent Purchaser or Mortgagee, or other Incumbrancer shall claim.

And be it further enacted, by the Authority aforesaid, That every Memorial of Deeds and Conveyances to be entered and registered by virtue of this Act, shall be written on Vellum or Parchment, and brought to the Office, or respective Offices, where the same is to

be registered in pursuance and according to the Tenor of this Act, and shall be under the Hand and Seal of some or one of the Grantors, or some or one of the Grantees, his, her, or their Heirs, Executors or Administrators, Guardians or Trustees, attested by two Witnesses; one of which to be a Witness to the Execution of such Deed or Conveyance; and that such Witness attesting and subscribing such Memorial, and also the Deed or Conveyance therein referred to, shall upon his Oath, or being a Quaker upon his solemn Affirmation, before the said Register, or his Deputy, prove the signing and sealing of such Memorial, and the Execution of the Deed or Conveyance mentioned in such Memorial; or else the Persons so signing and sealing the same Memorial, as aforesaid, or one of them, shall before the said Register, or his Deputy, acknowledge their signing and sealing the said Memorial, and the Execution of the Deed or Conveyance mentioned in such Memorial (which respective Oaths and Affirmations the said Register, or his Deputy, is hereby empowered to administer) and the said Register, or his Deputy, is hereby also empowered to take the said respective Acknowledgments, as aforesaid, and shall enter a Memorandum of the taking of the same respectively upon the said respective Memorials, with the Time when the same were so taken; and the said Memorandum shall be signed by the said Register, or his Deputy, and also by the Party so acknowledging the same respectively.

And be it further enacted, by the Authority aforesaid, That every Memorial of any Deed or Conveyance, shall contain and express the Day of the Month and Year, when such Deed or Conveyance bears Date, and the Names and Additions of all the Parties to such Deed or Conveyance, and of the Witnesses to such Deed or Conveyance, and the Places of their Abode; and in case of the Registering thereof in the said general Register Office to be kept in London or Middlesex, shall express and mention the Honours, Manors, Lands, Tenements, or Hereditaments contained in such Deed or Conveyance, and the Names of all the Parishes, Townships, and Places in which any such Honours, Manors, Lands, Tenements or Hereditaments are situate, lying or being,

ing, that are given, granted, conveyed, or any way affected or charged by any such Deeds or Conveyances; but in case of registering the same in the Register Office for any particular County or Place, may express only such Parts and Parcels thereof, and Places as shall lye and be in such particular County or Place respectively, or the Jurisdiction, Franchises, or Limits thereof; and for the greater Expedition and Convenience of all Parties, shall specify in Words or Figures, in the Margin of such Memorial, the Number of Words therein, and the Names of the several Parishes and Townships, or Vills, and the Counties, in order as they lye in such Memorial; and that every such Deed or Conveyance, of which such Memorial is to be registered as aforesaid, shall be produced to the said Register, or his Deputy, at the Time of entering such Memorial (except in such Cases as are herein after otherwise provided for) which said Register, or his Deputy, shall indorse a Certificate on every such Deed or Conveyance, and therein mention the certain Day, Hour, and Time when such Memorial was so entered or registered, expressing also in what Book, Page, and Number the same is entered, and that the said Register, or his Deputy, shall sign the said Certificate so indorsed; which Certificate shall be taken and allowed as Evidence of such respective Registries in all Courts of Record whatsoever; and that every Page of such Register Books, and every Memorial that shall be entered therein shall be numbered, and the Day of the Month, and the Year, and the Hour and Time of the Day when every Memorial is registered, shall be entered in the Margin of the said Register Books, and of the said Memorial; and that every such Register shall keep an alphabetical Kalendar of all Memorials by him registered, with reference to the Number of every Memorial respectively, and of the Names of the Parties mentioned in such Memorial.

Provided always, and it is hereby further enacted, by the Authority aforesaid, That the Memorial of such Deeds or Conveyances as shall be made and executed in any Place not within forty Miles of the Register Office, in which the same may or ought to be entered or registered by virtue of this Act, shall be entered or

registered by the Register of such Register Office, or his Deputy, in case an Affidavit sworn, or a solemn Affirmation of a Person of the Persuasion of the People called Quakers, made in Writing before one of the Judges of any of his Majesty's Courts at *Westminster*, or a Commissioner appointed to take Affidavits in one of the said Courts, or a Master in Chancery, ordinary or extraordinary (who are hereby respectively impowered to administer such Oath) be brought with the said Memorial to the said Register, or his Deputy; wherein one of the Witnesses to the Execution of such Deeds and Conveyances shall swear, or being a Quaker, shall affirm, that he or she saw the same executed, and the Memorial signed and sealed as aforesaid; and the same shall be a sufficient Authority to the said Register or his Deputy, to give the Party who brings such Memorial, and Affidavit or Affirmation, a Certificate of the registering of such Memorial, which Certificate, signed by the Register, or his Deputy, shall be taken and allowed as evidence of the Registries of the same Memorials in all Courts of Record whatsoever, any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided always, and be it enacted, That where there are more Deeds or Writings than one for making and perfecting any Conveyance, Mortgage, or Security, which do name, mention, or any ways affect or concern the same Honours, Manors, Lands, Tenements, and Hereditaments, it shall be a sufficient Memorial and Register thereof, if all the Honours, Manors, Lands, Tenements, and Hereditaments, whereunto such Memorial shall relate, and the Parishes, Townships, and Places wherein the same lye, be only once named or mentioned in the Memorial, Register and Certificate of one of the Deeds or Writings made for the perfecting of such Conveyance, Mortgage, or Security, and the Dates of the rest of the said Deeds or Writings relating to the said Conveyance, Mortgage, or Security, with the Names and Additions of the Parties and Witnesses, and the Places of their Abodes, be only set down in the Memorials, Registers, and Certificate of the same, with a Reference to the Deed or Writing, whereof the Memorial is so registered, that contains or expresses

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the Parcels mentioned in all the said Deeds, and Directions how to find the Registering and Entry of the same.

And be it further enacted, That every such Register shall duly file every such Memorial of Deeds and Conveyances in order of Time as the same shall be brought to the Register Office, and shall enter or register the same Memorials in the same Order that they shall respectively come to his Hands.

And be it further enacted, by the Authority aforesaid, That every such Register, or his sufficient Deputy, shall give due Attendance in his Office every Day in the Week, except Sundays and Holidays, from the Hour of nine to twelve in the Forenoon, and from the Hour of two to five in the Afternoon for the Dispatch of Business belonging to the said Office; and that every such Register, or his Deputy, as often as required, shall make searches concerning all Memorials that are registered as aforesaid, and give Certificates concerning the same under his Hand (if required by any Person) testified by two credible Witnesses.

And be it further enacted, That the Deputies of the general Register Office to be kept in *London* or *Middlesex*, to be appointed as aforesaid, at the Time of their being sworn into the said Office respectively, as aforesaid, shall each of them enter into a Recognizance with two or more sufficient Sureties, to be approved of by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, in such Sum or Sums of Money, as in the whole shall not be less than the Sum of six thousand Pounds, unto his Majesty, his Heirs and Successors, to be taken by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, with Condition for the true and faithful Performance of the said Office; and that every Register for the said respective Counties at large, and respective Divisions, at the Time of his being sworn into the said Office, as aforesaid, shall enter into a Recognizance with two or more sufficient Sureties, to be approved of by the Justices of the Peace of such respective Counties and Divisions, or the major Part of them, in their respective general Quarter Sessions, to be registered at such general Quar-

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ter Sessions of the Peace for the same County or Division, in the Penalty of two thousand Pounds unto his Majesty, his Heirs and Successors; such Recognizance to be taken by the Justices of the Peace of such respective Counties and Divisions, or the major Part of them, in their respective general Quarter Sessions; and every Register for the said respective Cities and Counties of the same, and respective Towns and Counties of the same, at the Time of his being sworn into the said Office, as aforesaid, shall enter into a Recognizance with two or more sufficient Sureties to be approved by the Justices of the Peace of such respective Cities and Counties of the same, and Town and Counties of the same, or the major Part of them, in their respective general Quarter Sessions, to be registered at such general Quarter Sessions of the Peace, in the Penalty of one thousand Pounds, unto his Majesty, his Heirs and Successors; such Recognizance to be taken by the Justices of the Peace of such respective Cities and Counties of the same, and Towns and Counties of the same, or the major Part of them, in their respective general Quarter Sessions; and the said several and respective Recognizances shall be with Condition, that each respective Register shall truly and faithfully perform his Duty in the Execution of his said Office in all Things directed and required by this Act, and also for him in case of his Surrendering of or Removal from his said Office, and for his Executors and Administrators, in case of his dying in the said Office, to procure and deliver all the Books, Papers, and Writings of and belonging to the said Office, unto such Person or Persons as shall upon his Death, Surrender, or Removal, be appointed to succeed in or execute the said Office, in pursuance of this Act; all which said Recognizances shall be transmitted by the Person or Persons respectively, who shall take the same, within six Months next after the Date thereof, into the Office of his Majesty's Remembrancer of the Exchequer, there to remain amongst the Records of the said Court.

Provided nevertheless, and be it further enacted, That when any of the Deputies of the said general Register, or any of the said Registers, shall die or surrender his Office, and no Misbehaviour shall, within the Space of three Years, from and after such Death or Surrender,

Surrender, appear to have been committed by such Deputy or Register in the Execution of his said Office, then, and in every such case, at the End of the said three Years after his Death or Surrender, the said Recognition, so entered into by him and his Sureties, shall become void and of none Effect.

And be it further enacted, by the Authority aforesaid, That in case of Mortgages, whereof Memorials shall be entered in the said Register Office pursuant to this Act, if at any time afterwards a Certificate shall be brought to the said Register, or his Deputy, signed by the Mortgagees in such Mortgages, their respective Executors, Administrators or Assigns, and attested by two Witnesses, whereby it shall appear that all Monies due upon such Mortgages have been paid or satisfied in Discharge thereof, which Witnesses shall, upon their Oath before one of the Judges of any of his Majesty's Courts at *Westminster*, or a Commissioner appointed to take Affidavits in one of the said Courts, or a Master in Chancery, ordinary or extraordinary, or before the said Register, or his Deputy, (who are here respectively impowered to administer such Oath) prove such Monies to be satisfied or paid accordingly, and that they saw such Certificates signed by the said Mortgagees, their respective Executors, Administrators or Assigns, then, and in every such case, the said Register, or his Deputy, shall make an Entry in the Margin of the said Register Books, against the Registry of the Memorials of such Mortgages, that such Mortgages were satisfied and discharged according to such Certificate, to which the same Entry shall refer; and shall after file such Certificate, to remain in the said Register Office.

And be it further enacted, That if any Person or Persons shall at any time forge or counterfeit any such Memorial, or Certificate, or Endorsement, as are herein before-mentioned or directed, and be thereof lawfully convicted; such Person or Persons shall incur and be liable to such Pains and Penalties as by the Common Law are or ought to be inflicted on Persons forging or counterfeiting Deeds or Writings; and that if any Person shall at any time forswear himself, or, being a Quaker, shall falsely affirm before the said Register, or his Deputy, or before any such Judge, Commissioner, or Master

Master in Chancery, as aforesaid, in any of the Cases herein before-mentioned, and shall be thereof lawfully convicted, such Person shall incur and be liable to the Penalties inflicted by Law for wilful and corrupt Perjury.

And, for establishing a Method fit and proper for the carrying on and exercising an Office of Register for the said Cinque Ports, Towns, and Members, and making the same as easy, useful, and beneficial as may be to his Majesty's Subjects, the Barons and Inhabitants of the said Cinque Ports, Towns, and Members; be it hereby further enacted, by the Authority aforesaid, That the Office of Register for the said Cinque Ports, Towns, and Members, shall be held, exercised, and enjoyed by the Register of the Court of Chancery of the said Cinque Ports, Towns, and Members for the Time being, and shall be exercised by him, or his sufficient Deputy or Deputies; and such Register is hereby required to provide a proper Place at the Port of *Dover*, where all Deeds and Conveyances, which from and after the said twenty-fourth Day of *June*, shall be made and executed of or affecting any Honours, Manors, Lands, Tenements, or Hereditaments lying in such Part of the said Cinque Ports, Towns, and Members, as is within the County of *Kent*, may be registered in the Manner and Form aforesaid; and shall likewise provide a proper Place at the Port of *Hastings*, where all Deeds and Conveyances, which, from and after the said twenty-fourth Day of *June*, shall be made and executed of or affecting any Honours, Manors, Lands, Tenements, or Hereditaments, lying in such Part of the said Cinque Ports, Towns, and Members, as is within the County of *Sussex*, may be registered in like Manner and Form.

And be it further enacted, That the Register for the said Cinque Ports, Towns, and Members, and his Deputy or Deputies, before they, or any, or either of them, shall enter upon the Execution of the said Office respectively, shall take the Oath herein before prescribed to be taken by the other Registers, before the Lord Warden of the Cinque Ports for the Time being, or his Deputy; and that such Register, at the Time of his being sworn into the said Office, as aforesaid, shall enter into such Recognizance, as aforesaid, with two or more sufficient

sufficient Sureties, to be approved of by the said Lord Warden of the Cinque Ports for the Time being, or his Deputy, in the Penalty of two thousand Pounds, unto his Majesty, his Heirs and Successors, to be taken by the said Lord Warden of the Cinque Ports for the Time being, or his Deputy, under the like Condition, as is herein before prescribed for the other Registers; which Recognizance shall be transmitted by the said Lord Warden of the Cinque Ports for the Time being, or his Deputy, within six Months next after the Date thereof, into the Office of his Majesty's Remembrancer of the Exchequer, there to remain amongst the Records of the said Court, and shall become void and of no Effect, at the End of three Years after the Death or Surrender of such Register, in case no Misbehaviour shall within the said three Years appear to have been committed by him in the Execution of his said Office, in the same manner as is before directed concerning other Registers.

And be it further enacted, by the Authority aforesaid, That every Leaf of all the aforesaid Register Books of the said several Register Offices, in which any Entries shall be made pursuant to this Act, shall be signed by one of the Deputies of the said general Register Office, and in the other Offices by the principal Registers respectively.

And that the true End and Purpose of this Act may be the better attained, be it further enacted, by the Authority aforesaid, That all and every of the said several and respective Registers appointed by this Act for the said Counties, Divisions, Cities and Counties of the same, and Towns and Counties of the same, and for the said Cinque Ports, Towns, and Members, do and shall respectively, at their own Costs and Charges, within the first Week of every *Michaelmas* Term, transmit and cause to be delivered, carefully sealed up under their respective Seals, unto the Register of the said general Register Office, to be kept in *London* or *Middlesex* as aforesaid, or to his Deputy, in Books of Folio size fairly written, bound in Pasteboard, and Lettered on the Back, with the Year and County, true Copies or Duplicates of all Memorials and Certificates that shall be registered or entered in their respective Register Offices
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by virtue and in pursuance of this Act, to the *Midsummer* Day then next preceding ; and in the same Books a Copy or Duplicate of the alphabetical Kalendar of such Memorials within the Time aforesaid : And moreover, That the said Register of the said general Register Office, do and shall, at his own Costs and Charges, within the first Week of every *Michaelmas* Term, transmit or cause to be delivered, carefully sealed up under his Seal, unto the said several Registers of the said Counties and Divisions, Cities and Counties of the same, and Towns and Counties of the same, and the said Cinque Ports, Towns, and Members respectively, in Books of Folio size, fairly written, bound in Pasteboard, and Lettered on the Back, with the Year and County, true Copies or Duplicates of all Memorials and Certificates that shall be registered or entered in the said general Register Office, to the *Midsummer* Day then next preceding ; and likewise in the same Books, Copies or Duplicates of the alphabetical Kalendars of the said Memorials within the Time aforesaid, so far as the same shall or may affect, or relate unto any Honours, Manors, Lands, Tenements, and Hereditaments, which lye and be in any of the said Counties and Divisions, Cities and Counties, Towns and Counties, Cinque Ports, Towns, and Members respectively ; of all which Copies and Duplicates so to be respectively transmitted as aforesaid, the said several and respective Registers, to whom the same shall be transmitted, or their Deputies, shall permit Searches to be made, and give Certificates of the same, in the same manner, and for the like Allowances, as is herein before directed, touching the Memorials, and other Acts to be by them respectively done.

And be it further enacted, by the Authority aforesaid, That the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, or the Master of the Rolls for the Time being, shall have full Power and Authority, from time to time, to make such Rules and Orders as shall be thought necessary for the good Regulation and Management of the said several Register Offices hereby appointed to be kept for any particular County, Division, City or Place, and to regulate and amend any Abuses, Irregularities, or Misdemeanors complained

plained of therein; and the several Registers of the said respective Offices, and their respective Deputies, and the Persons concerned under them in the Execution and Management of the said respective Offices, are hereby required to obey and observe such Rules and Orders.

And be it further enacted, by the Authority aforesaid, That if any Register appointed by virtue of this Act, or his Deputy, shall neglect to perform his or their Duty in the Execution of the said Office, according to the Rules and Directions in this Act, or shall commit, or suffer to be committed, any undue or fraudulent Practice in the Execution of the said Office, and be thereof lawfully convicted, then such Register shall forfeit the said Office of Register, and pay treble Damages, with full Costs of Suit, to such Person or Persons as shall be injured thereby, to be recovered by Action of Debt, Bill, Plaintiff, or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoign, Protection, or Wager of Law, shall be allowed, nor any more than one Imparience.

And be it further enacted, by the Authority aforesaid, That if the Clerk of the Peace for any County, Riding, Division, or Place aforesaid, shall misdemean himself in the Execution of the said Office, whereby upon Complaint in Writing exhibited against him for such Misdemeanor, to the Justices of the Peace for the said County, Riding, or Division in their general Quarter Sessions, and on Examination and due Proof thereof, openly in their said general Quarter Sessions, he shall be discharged from the said Office, he shall thereby forfeit and be discharged from the Office of Register, which he held as Clerk of the Peace by virtue of this Act; and if he shall misdemean himself in such Office of Register, whereby he shall forfeit the same by virtue of this Act, he shall thereby forfeit the Office of Clerk of the Peace, and the same shall become void; and in either of those Cases, the *Custos Rotulorum*, or other Person to whom it shall of right belong to nominate and appoint the Clerk of the Peace for such County, Riding, Division, or Place, shall nominate and appoint one other able and sufficient Person, residing in the same County, Riding, Division, or Place, to be Clerk of the Peace in

the room of him so removed; and in case of Refusal or Neglect to make such Nomination and Appointment before the next general Quarter Sessions to be holden after the said Refusal, it shall and may be lawful for the Justices of the Peace, at their general Quarter Sessions for the said County, Riding, Division, or Place, or the major Part of them, to nominate and appoint one other able and sufficient Person residing in the same County, Riding, Division, or Place, to be Clerk of the Peace in the room of the Person removed; who shall have and enjoy the same Office of Clerk of the Peace and Register, and receive the Profits thereof, in the like manner as his Predecessor in the same Office, before his Removal, was intituled to do; and in case any Town Clerk, or other Officer, by whatever Denomination, in any City, Town, or Precinct, or in the Cinque Ports, Towns, or Members thereof, who by virtue of this Act shall be intituled to hold the Office of registering the Memorials of Deeds and Conveyances, shall by due Course of Law be discharged from such his Office, he shall at the same time forfeit and be discharged from the Office of Register, which he held by virtue thereof; and if he shall misdemean himself in the said Office of Register, whereby he shall forfeit the said Office by virtue of this Act, he shall thereby forfeit the Office of Town Clerk, or other Office which he held in the same City, Town, or Place, by reason whereof he was by this Act intituled to the registering such Memorials there, and the same shall become void; and in either of the said Cases, it shall and may be lawful for the Person or Persons to whom it shall of right belong to nominate, elect, or constitute the Town Clerk, or other Officer afore-named by whatever Denomination called, and they are hereby required, forthwith, upon Notice of such Avoidance, to nominate, elect, or constitute another fit and able Person duly qualified for it, to be the Town Clerk, or other Officer, however denominated, in the same City, Town, or Place, in the room of him so removed; who shall hold, exercise, and enjoy the same Office, and be intituled to register the Memorials of Deeds and Conveyances, and receive the Profits thereof, in like manner as his Predecessor in the same Office, before his removal, might have done. And

And it is hereby further enacted, That upon the Death, Surrender, or Removal of any Register appointed by Virtue of this Act for any County, Division, City, Town or Place, it shall and may be lawful for the Person or Persons to whom of right it doth, or by Virtue or Authority of this Act, it shall or may belong, to nominate and appoint another fit and proper Person in his Place and Stead; and until such Nomination and Appointment, the Sureties of such Persons so dying, surrendering, or removed, or their Executors or Administrators, shall, by writing under their Hands and Seals, appoint a proper Person to supply and execute the same Office of Register, for whose Demeanor in the Execution of the said Office, they, during that Interval, shall be answerable.

And it is hereby further enacted, That every Person to be appointed, as aforesaid, upon the Death, Surrender, or Removal of any Register, to execute the Office during such Interval as aforesaid, shall, before he enter upon the Execution thereof, take the Oath herein before appointed to be taken by such Register, and his Deputy, before such Person or Persons who are herein before empowered to administer such Oath to such Register, or his Deputy; and that if any such Person, so appointed as aforesaid, shall be lawfully convicted of any Neglect, Misdemeanor, or fraudulent Practice in the Execution of the said Office, he shall be liable to pay treble Damages, with full Costs of Suit, to every Person that shall be injured thereby, to be recovered by Action of Debt, Bill, Plaintiff, or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlane, shall be allowed.

And it is hereby further enacted, That the Authority of the Deputies of the said general Register Office shall not determine upon the Death, Surrender, or Removal of any Master of the Rolls, or the Appointment of any new Master of the Rolls; but they may continue to act and do all things relating to the said Office in the same and like manner, as they might have done before such Death, Surrender, Removal, or new Appointment of a Successor during their natural Lives, unless they, or

any of them, shall be removed or displaced for Neglect of Duty or Misdemeanor in his Office.

Provided always, That no Person or Persons, Estate or Estates whatsoever shall be prejudiced or affected by any Variance, Omission, or Mistake, in any Entry or Memorial to be made in Pursuance of this Act, which shall happen merely through the Negligence of the Writer, and cannot reasonably mislead or deceive a Purchaser in knowing the true Meaning or Effect of such Entry or Memorial, any thing in this Act to the contrary thereof in any ways notwithstanding.

Provided always, and be it further enacted, by the Authority aforesaid, That this Act shall not extend to any Judgments in any Court of Record, Statutes, Recognizances, Wills, Fines, or Common Recoveries, or to any Grant of any Copyhold or customary Estate, which ought to be entered on the Rolls of the Manor, or to any of the Chambers in *Serjeants Inn*, the Inns of Court, or Inns of Chancery, or to any Lease at a Rackrent, or to any Lease in Possession not exceeding one-and-twenty Years, or for one, two, or more Life or Lives in being, or for any number of Years determinable on one, two, or more Life or Lives in being, or to any Assignments of such Leases, where the actual Possession goes along with such Leases or Assignments; nor shall this Act extend to any Leases, Grants, or other Conveyances to be made by or to his Majesty, his Heirs or Successors, or to any Lease to be made by his Royal Highness the Prince of *Wales*, his Heirs or Successors, of any Honours, Manors, Lands, Tenements, or Hereditaments, lying within or which are Part or Parcel of the Possessions of his Dutchy of *Cornwall*, or to any Under-Lease or Assignment of such original Lease, or to any of the Lands or Tenements belonging to the Warden and Assistants of the Harbour of *Dover*, situate, lying and being in *Dover*, being part of the Land and Tenements belonging to the said Harbour.

Provided always, That no Member of Parliament for the Time being shall be capable of being Register of or for any County, Division, City and County of the same, Town and County of the same, or of or for the said Cinque Ports, Towns, and Members, or of executing

euting by himself, or any other Person or Persons, any Office of Register to be erected or kept by Virtue of this Act, for any of the said Counties, Divisions, or Places, or to have, take, or receive any Fee, or other Profit whatsoever, issuing out of any of the said Offices, or for or in respect thereof; nor shall any such Register for any such Counties, Divisions, or Places, or his Deputy, or any Person or Persons receiving Profit out of any such Office, be capable of being a Member to serve in Parliament.

Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to disable or hinder the Master of the Rolls for the Time being, from being a Member of Parliament; but that the Master of the Rolls for the Time being shall and may be capable of being a Member of Parliament, although the said Office of general Register is hereby annexed to the Office of Master of the Rolls; any thing in this Act, or in an Act made in the fourth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of England in the Protestant Line*, or any other Act of Parliament to the contrary notwithstanding.

Provided always, and it is hereby enacted and declared, That where any Person, who is Clerk of the Peace, or Town Clerk of any County, City, or Place, where a Register is hereby intended to be appointed, and by being a Member of Parliament is hereby made incapable of executing the Office of Register of any such County, City or Place; it shall and may be lawful for the *Custos Rotulorum*, or such other Person or Persons to whom the Nomination and Appointment of Town Clerk, or Clerk of the Peace, doth of right belong, and they are hereby required, immediately after the Commencement of this Act, to nominate and appoint another sufficient Person to be Register for such particular County, City, or Place, where such Member of Parliament shall be Clerk of the Peace, or Town Clerk.

Provided always, and it is hereby declared and enacted, That in case any Clerk of the Peace, Town Clerk, or other Person appointed by this Act to hold, exercise, and enjoy the Office of Register in any of the Coun-

ties, Divisions, Cities, Towns, or Places before-mentioned, shall refuse to accept of the said Office, or enter into such Recognizance as is hereby required, and shall signify and declare such Refusal, under his Hand, to two or more Justices of the Peace for the same County or Place, for which he shall be so appointed, at any Time before the Commencement of this Act; or if any Person hereafter to be appointed Clerk of the Peace, Town Clerk, or other Officer of like Nature, shall in twenty Days after such Appointment, refuse or neglect to enter into such Recognizance, or shall at any time, after he shall be possessed of the said Office, resign such Office of Clerk of the Peace, Town Clerk, or other Office, by virtue whereof he held or enjoyed the same Office of Register, to the *Custos Rotulorum*, or such other Person or Persons, who are legally authorised to appoint or constitute a Successor in his room; then, and in any of the said Cases, it shall and may be lawful to and for the *Custos Rotulorum*, or other Person or Persons, to whom of right it doth or shall belong, to nominate, elect, constitute, and appoint some other fit and able Person to act as Register for the said County, City, Town, or Place, in the room and stead of the Person so neglecting, refusing, or resigning as aforesaid; which Person, so to be substituted and appointed, shall take the said Oath, and shall also enter into such Recognizance as is required by this Act, and conform himself in the Execution of the said Office to all the Rules, Orders, Directions, and Regulations of this Act, and be liable to all the Penalties, Forfeitures, and Disqualifications, for Misbehaviour and Neglect of Duty in the said Office, which in and by this Act are ordered, provided, and prescribed.

Coal Affairs
and Bill.

The last Bill of this kind I shall take notice of, is the Bill for empowering the Court of Lord Mayor and Aldermen of the City of *London*, to set the Price upon all Coals, commonly called Sea-Coals, imported into the Port of *London* from *Newcastle*, and the Parts adjacent thereunto, and to settle the Wages of Labourers employed in delivering any Coalships in the River of *Thames*, and to oblige Fitters and others, vending and loading Ships with Sea-Coals at *Newcastle*, and the Ports

Ports adjacent, thereunto, to deliver such Coals to the Masters of any Ships applying for the same. Though this Bill was late of being brought into the House, it was first occasioned by the high Price of Coals during last Session of Parliament, which was owing to the hard Frost and the Press for Seamen. This being a great Hardship upon the Poor, it was taken notice of in Parliament, and upon the 8th of February the House of Commons was moved, That an Act made in the sixteenth and seventeenth Year of the Reign of King Charles the Second, intituled, *An Act for regulating the Measures and Prices of Coals*; and also the second Section of an Act made in the seventh and eighth Year of the Reign of King William the Third, whereby the said Act was made perpetual, might be read; and the same being read accordingly, it was resolved *nemine contradicente*, That an humble Address be presented to his Majesty, that his Majesty would be pleased to cause Directions to be given, that the Lord Mayor and Aldermen of the City of London, and the Justices of Peace of the said City, and of the City of Westminster, and within the Liberties thereof, should forthwith and effectually put in Execution the Law for regulating the Measures and Prices of Coals.

His Majesty having issued his Directions accordingly, a Petition of several of his Majesty's Justices of the Peace for the City and Liberty of Westminster, was on the 18th presented to the House and read, setting forth,
‘That in obedience to his Majesty's Command, in pursuance of an Address of this House, the Justices for the said City and Liberty have considered of the proper Means to put the Statute for regulating the Measures and Prices of Coals in Execution; and that for that Purpose, they sent for several of the principal Retailers of Coals living within the said City and Liberty; and representing to the House the Result of their enquiry; that they find the said Retailers now sell their Coals for three Pounds twelve Shillings the Chaldron, since they have been obliged to pay fifty Shillings in the Pool, thirteen Shillings for Carriage, and other Charges for Metage, Wharfage, and Loading, amounting to two Shillings and eight Pence more, besides the second Charges they are at in rede-

' livering them to their Customers; and that it appeared
' there were not above seventy seven Chaldrons remain-
' ing in the Hands of nine of the principal Dealers
' who attended the Petitioners; (two of whom had
' none) and that they all assured the Petitioners, that
' they were very certain all the rest of the Retailers in
' *Westminster* together were not Masters of the like
' Quantity; and that Mr. Finlinson particularly declar-
' ed, he had with great Difficulty procured some Coals
' on *Wednesday* the thirteenth of this Instant *February*,
' but was obliged to pay fifty six Shillings in the Pool,
' and take them without the Ingrain, which, he said,
' he could not sell under three Pounds fifteen Shillings
' the Chaldron, without Loss; and that it appeared to
' the Petitioners, that the Retailers had not hitherto
' sold for more than one Shilling and ten Pence to two
' Shillings the Bushel, and for less till very lately; that
' at the Beginning of the Frost they took no more than
' one Shilling and four Pence the Bushel, and that their
' Price was always governed by that taken in the Pool;
' and that they have not charged for their Coals, dur-
' ing all the hard Weather, more by the Bushel (in fa-
' vour of the Poor) than they have sold for by the
' Chaldron; and that the Retailers all declared they did
' believe, from the best Enquiry they could make, there
' were not Coals in the River, or on Shore, sufficient
' to supply the Town for a Fortnight; and that the
' great Wages paid for able Seamen, which have been
' raised from thirty Shillings to five Pounds and five
' Pounds ten Shillings the Voyage, the Restrictions in
' the Protections granted to the Colliers, in which they
' are allowed but one able Seaman to an hundred Tons,
' the impressing Men out of the Colliers in coming up
' the River, and the excessive Price of the Carriage,
' occasioned by the miserable Condition of the Streets,
' have unavoidably raised the Price of Coals, particu-
' larly in *Westminster*; and that the Retailers also ob-
' served, that from the Deficiency of the Quantity of
' Coals brought this Year into the Port of *London*, and
' all their Stocks being exhausted, the Town cannot be
' supplied next Year, unless these Difficulties are spe-
' cially removed; and further representing to the House,
' that on due Consideration of the Act passed in the
{' sixteenth

' sixteenth and seventeenth Years of the Reign of King
' *Charles* the Second (for regulating the Measures and
' Prices of Coals) they apprehend they have no Juris-
' diction to settle the Prices of Coals, which is thereby
' given to Justices of the Peace for Counties only;
' but that in case they had Jurisdiction, they could not,
' as that Law now stands, enforce it, for the Reasons
' following; for that the Statute gives no Power to the
' Justices to oblige any Retailer of Coals to appear be-
' fore them, nor to examine him on Oath, or to pro-
' duce his Books or Accounts, or to compel his Ser-
' vant or other Person to give Evidence on Oath,
' whereby it might appear what Price he paid for his
' Coals, and what were the Charges accruing thereon;
' and that great Difficulties would arise in settling the
' Price (as Retailers cannot be compelled to answer on
' Oath) in cases where several Parcels of Coals have
' been bought at different Times and Prices, and
' heaped together; and that no Penalty is laid on Per-
' sons selling at a higher Rate than what is settled by
' the Justices, nor any Directions given to publish the
' Price; and when the Price is settled, if the Retailer
' refuses to comply with it, the Provision made for
' Entrance into his Wharf or House by force, is so
' worded, that they cannot think it safe, either for
' themselves or Officers, to execute what is required of
' them; and further observing, that should the Re-
' tailers, by any future Act, be subjected to the Juris-
' diction of the Justices of the Peace, the Petitioners
' apprehend, it will be impossible for them effectually
' to reduce the exorbitant Price of Coals, and answer
' the good Intentions of the Legislature, if it shall be
' in the Power of any Set of Men by Combinations,
' or any other Artifices, to fix what Price they please on
' Coals in the Pool, or at the Pits, whence the Cities
' of *London* and *Westminster* are supplied; and praying
' such Relief in the Premises, as to the House shall
' seem meet.'

Which Petition was ordered to lye on the Table;
and next Day a Committee was appointed to consider
of Methods for better accommodating the Cities of
London and *Westminster* with Coals, and to report their
Opinion to the House, to which Committee the said

Petition was referred, and they were afterwards, on the 5th of March, impowered to report their Proceedings from time to time to the House. At the same Time it was resolved, to present an humble Address to his Majesty, that he would be graciously pleased to give Directions, that there might be laid before that House, a Copy of the humble Memorial and Petition of the Court of Lord Mayor and Aldermen of the City of London, to his Majesty, in consequence of a Letter to them from the Lords of his Majesty's most honourable Privy Council, by his Majesty's Command, in pursuance of the said Address of the 8th of February. But before this Memorial was laid before them, viz. on the 11th of March, Mr. Bowles, from the said Committee, reported the following Resolution, viz. That it is the Opinion of this Committee, that the Cities of London and Westminster may have a Supply of Coals, at a reasonable Price, from Rotherham and the Places adjacent, on the River Dun, in the County of York, provided a small Tonage only be taken for such Coals as shall be brought down the said River, and shipped for Sea; which Report was referred to the Consideration of a Committee of the whole House; and it was resolved, that the House would on Friday Morning then next resolve itself into the said Committee.

On the 13th of March, the aforesaid Memorial and Petition of the Court of Lord Mayor and Aldermen was presented to the House, and referred to the said Committee appointed to consider of Methods for the better accommodating the Cities of London and Westminster with Coals; and the House's resolving itself into a Committee of the whole House to consider of the above-mentioned Report from the said Committee, being put off to the 19th, the following Resolution was then agreed to in the said Committee of the whole House, viz. ‘That it appears to this Committee, that the high Duties of three Shillings and four Pence per customary Ton, to be paid to the Proprietors of the Navigation of the River Dun, for Coals coming down that River, in order to be shipped for Sea, has been one great Impediment to Coals coming down that River to be shipped for Sea, and the Cause of the Duty's having produced nothing? Which Resolution

lution being reported by Mr. Alderman *Willimot*, the Chairman, on the 21st it was agreed to by the House.

From this Resolution it was to be expected, that the House would have proceeded to order in some Bill for regulating the Duties payable on the River *Dun*; but the Misfortune in this Country is, that many of our publick Undertakings are carried on at the Expence of private Men, and a sort of Property in them granted to those who are at the first Expence, which makes it dangerous, by any future Law, to bring them under any new Regulation without the Consent of the Proprietors. This, I suppose, was one of the Reasons why the Parliament did not proceed farther upon this Resolution; but this is a manifest Proof of the Prejudice our Trade suffers by allowing private Projectors to make a Job of any publick Undertaking; for it is a great Discouragement to Trade to load it with high Duties for leave of passing along Highways or navigable Rivers; therefore the Publick ought always to be at the first Expence, and the passage Duties no higher than what is absolutely necessary for keeping the Ways or Rivers in Repair: nay, I do not know, but that it would be for the Advantage of the Nation in general, to have them kept in Repair likewise at the Publick Expence, and consequently free of all Toll whatsoever. But let this be as it will, surely some Care ought to be taken not to allow private Projectors to make such excessive Advantages as some of them have done, by loading the Inhabitants of this Nation with high Rents, Tolls, or Duties. However, in this case, as I have been informed, the Parties concerned came to an Agreement among themselves, which prevented the necessity of regulating these Duties by a Law.

As no other Method could in this Session of Parliament be thought on, for accommodating the Cities of London and *Westminster* with Coals, therefore on the 26th of March, Sir John *Heathcote* moved for Leave to bring in the Bill last mentioned, in which he was seconded by Mr. *Winnington*; and Leave being accordingly granted, they were ordered to prepare and bring in the same. On the 13th, Sir John *Heathcote* presented the Bill to the House, when it was read a first Time, and ordered to be read a second Time on the

Thursday

Thursday following. Upon that Day, it was accordingly read a second Time, and committed to a Committee of the whole House for *Wednesday* the 16th of *April*; when Petitions were presented from the Ship Owners, and Masters of Ships of *Whitby* in the County of *York*; from the Ship Owners, and Masters of Ships of *Scarborough* in the said County; from the Ship Owners, and Masters of Ships of the Town of *Newcastle upon Tyne*; from the Brethren of the Fraternity of *Hoofmen* in the said Town; and from the Fitters belonging to the Port of *Sunderland*, in the County Palatine of *Durham*; setting forth, That so much of the said Bill as related to the Petitioners, might greatly injure and oppress them; and therefore praying to be heard by themselves or Counsel against such Parts of the Bill as affected them: which Petitions were all read, and severally referred to the Consideration of the Committee upon the said Bill, and the Petitioners were severally ordered to be heard before the said Committee, by their Counsel, if they thought fit.

Upon this the Order relating to the Commitment of this Bill was put off till *Friday*, when the House made a Progress, and resumed the Affair again on the 24th, when the Committee went through the Bill, without any Counsel's having appeared on the Part of the Petitioners against it. Next Day the Report was received, and all the Amendments made by the Committee agreed to; and on *Monday* the 28th the Bill was passed, and sent to the Lords; but the Parliament being next Day prorogued prevented it's being passed into a Law; which the Petitioners were probably apprised of, and this prevented their putting themselves to the Expence of appearing by their Counsel against it.

These were the most important Bills in the last Session that had not the good Fortune to pass into Laws; and next I shall give an Account of some of the most remarkable Affairs that did not, but were intended to come the Length of a Bill, among which I shall, as I think, I ought, give the Preference to the famous Motion made on *Tuesday* the 29th of *January*. On that Day *Philip Gybbon Esq;* moved, that the Serjeant at Arms attending the House, should go with the Mace into *Westminster Hall*, and the Courts there, and into the

Motion for
Peace Bill

the Court of *Requests*, and the Places adjacent, and summon the Members there to attend the Service of the House; which being ordered accordingly, and the Serjeant being returned, Mr. Sandys stood up, and after an excellent Speech in which he pathetically represented the Dangers our Constitution lay expos'd to, from having too great a Number of Officers and Placemen, especially those of a low Degree in the House of Commons, he concluded with a Motion for Leave to bring in a Bill, for the better securing the Freedom of Parliaments, by limiting the Number of Officers to sit in the House of Commons; in which he was seconded by Watkyn Williams Wynn, Esq;

This Motion brought on a very long Debate, in which the principal Speakers for and against the Motion were as follow:

For the Motion.

Samuel Sandys, Esq;
Watkyn Williams Wynn, Esq;
Sir John Barnard,
George Lyttleton, Esq;
William Pitt, Esq;
The Lord Polwarth,
Edward Southwell, Esq;
Mr. Alderman Perry,
Mr. Alderman Heathcote,
The Lord Gage,
William Pulteney, Esq;
Sir William Windham,
William Shippens, Esq;

Against it.

William Hay, Esq;
George Speke, Esq;
John Seswyn, Jun. Esq;
The Lord Augustus Fitz-
roy,
Henry Fox, Esq;
Charles Arskine, Esq;
Sir William Yonge,
Henry Pelham Esq;
Thomas Winnington, Esq;
Sir Robert Walpole.

At last the Question was put, and upon a Division carried in the Negative, Noes 223, Yeas 207.

As in this Debate it was granted on both Sides, that Parliaments are designed as a Check upon Ministers, Officers, and others employed in the executive Part of our Government, the Debate may be summed up in these four Questions.

1. Whether a Man of little or no Estate may not get into Parliament, by borrowing a Qualification from another, and restoring it as soon as it has served the turn of his Election.

2. Whether

2. Whether an extravagant, indigent, or avaricious Man may not be misled in his Judgment, or induced, contrary to his Judgment, by a lucrative Employment, to comply with a Minister's Demand, or approve of his Conduct, though in duty to his Country he ought to refuse the former or censure the latter?

3. Whether, considering the great Number of little Boroughs, and the Multitude of Offices and Employments in the Gift of the Crown, a Minister may not get such a Number of such Men chosen, as will make a Majority in the House of Commons, especially if he has before secured a dead Majority in the House of Lords?

4th, Whether there is an absolute Necessity of having Clerks of Offices, and inferior Officers of the Army and Navy in the House of Commons?

This last Question I have thus stated, because from the Debate it appeared, that there was no Design to exclude Admirals, Generals, or any great Officers, from having Seats in the House of Commons. These Questions I shall not pretend to answer, but leave it to my Readers to answer them as they think fit; and every Man may, from the Answers he thinks ought to be made, be able to determine within himself, whether or no this Motion ought to have been complied with.

Motion
against the
Importation
of Irish
Yarn.

In order to make my Readers understand the next Affair I am to take notice of, I must remind them, that in the preceding Session, an Act was passed for taking off the Duties upon Woollen and Bay Yarn imported from *Ireland* to *England*; and for the more effectual preventing the Exportation of Wooll from *Great Britain*, and of Wooll, and Wooll manufactured from *Ireland* to foreign Parts *. This Act, with regard to the taking off the Duties, was not to take Place till the 1st of *May 1540*; and as it had been opposed by several Gentlemen when it was passed, especially those from the western Parts of *England*, they made an Attempt in the last Session to have it repealed. For this Purpose, on the 28th of *March*, a Motion was made in the House of Commons, that the Act made in the last Session of Parliament, intituled, *An Act for taking off*

* See *Annals* for 1739, Vol. I. pag. 125.

the Duties upon, &c. might be read ; and the same being read accordingly, it was moved and resolved, that the House would upon *Tuesday Morning* then next, resolve itself into a Committee of the whole House, to consider of the said Act. Accordingly on that Day, the House resolved itself into the said Committee, and *Robert Vyner, Esq;* moved, that it might be resolved, That so much of the said Act as related to the taking off the Duties upon Woollen and Bay Yarn imported from *Ireland to England*, ought to be repealed. This Motion was seconded by *Thomas Carew, Esq;* and the chief Arguments for the Motion were, That the Bill had received the Approbation of the several Branches of the Legislature, last Session of Parliament, in hopes that the *Irish* Parliament would have done something towards effectually preventing the Exportation of their Wooll to foreign Parts, but that they had separated without doing any thing, and had actually refused to agree to a Scheme offered them for that Purpose. That the People of *Great Britain* always deserved our first and principal Regard, and that if this Law should subsist, all the poor People in *Great Britain* that lived by spinning, would be deprived of the only Means they had for subsisting; for as the *Irish* paid no Land Tax, nor any of the other Taxes upon the Necessaries of Life, which our Poor were obliged to pay, the *Irish* would of course under-work our Spinners, so that in a little time all the Yarn made use of in our woollen Manufactures would be imported from *Ireland*, and consequently those amongst ourselves who now live by spinning, which was many thousands, must starve, or be supported by their respective Parishes, most of which had already more Poor than they were able to maintain.

To this it was answered, That the *Irish* Parliament had always shewn themselves ready to prevent, as much as was in their Power, the Exportation of their Wooll to foreign Parts, and were ready to embrace any Scheme for that Purpose that did not very much incroach upon the Liberty of the Subject. That a Scheme, 'twas true, had been offered to them, but upon Examination it appeared to be such a one as would not answer the End pretended, and at the same time, would intirely destroy the Liberty of the Subject; and therefore we

were

were not to impute to the *Irish* Parliament as a Fault or Neglect, their not having done any thing in their last Session towards preventing the Exportation of their Wooll to foreign Parts; for they had attempted to do something, but those in Power would not allow them to do any thing, unless they would agree to subject their Wooll to an Excise under the Name of a Register. That if the Dispute were now, as formerly, between the *Irish* and *British* Subject, we might shew some Partiality to the Latter; but the Dispute is now between the *Irish* and Foreigners, especially the *French*; for if we do not allow the *Irish* to import their Yarn, Duty free, to *Great Britain*, they will export both their Yarn and their Wooll to *France*, let us lay what Penalties we will; and if our own Spinners must be under-wrought, it is better they should be under-wrought by the *Irish* than by Foreigners; but to prevent both these Misfortunes, we should think of abolishing all Taxes upon the Necessaries of Life, in order to enable our own Poor to work as cheap as others, and not like the Dog in the Manger, prevent the *Irish* from manufacturing till Foreigners have taken the Manufacture from us both.

In this Debate the principal Speakers were

For the Motion.

Robert Vyner, Esq;
Thomas Carew, Esq;
The Lord Tyrconnel,
Sir John Hind Cotton,
Sir Justinian Isham,
Joseph Danvers, Esq;

Against it.

Horatio Walpole, Esq;
John Plumtree, Esq;
Samuel Sandys, Esq;
Sir John Barnard,
Sir William Wyndham,
Mr. Alderman Heathcote,
Colonel Bladen,
Sir Robert Walpole.

And at last upon putting the Question, it was carried in the Negative.

The next most remarkable Affair, where some sort of Bill seemed to be intended or desired, happened on the 28th of March, when Sir John Barnard presented to the House, a Petition of divers Merchants, Exporters of the Woollen and *British* Manufactories and Fisheries, &c. as likewise Owners and Masters of Ships, concerned in the Navigation of these Kingdoms in behalf

Merchants Petition against the Embargo.

half of themselves and others ; letting forth, ' That the late general Embargo, and that laid, on or about the second of February last, which now continues, has been a very great Loss and Discouragement to the Trade of these Kingdoms, by lessening the Exports thereof, besides a great Loss to the Merchants, in having their Goods and Effects lye perishing on board their Ships, many Months in the River *Thames*, and elsewhere in his Majesty's Dominions ; that these great Losses and Hardships have been born by the Sufferers with the greatest Chearfulness, upon Account of a Necessity there might be to supply his Majesty's Ships of War with Mariners for the Defence of the Nation in general, against the common Enemy ; that the Embargo upon Ships navigated by Foreigners, has been taken off some time since (while that on the British is continued) which encourages many Persons to load their Goods and Merchandise upon such foreign Ships only, and not upon the English, although they are much preferable for Defence, and Security in carrying them to Ports beyond the Seas, than those Ships manned with Foreigners : that, if the said foreign Ships are permitted to be the only Carriers of the British Merchandise, while our own Ships must lye rotting in the River, the Merchants and Traders will meet with such Discouragement in our Navigation (which always has been esteemed so valuable to the Nation) that in few Years more it may be greatly lessened ; that the great Number of Ships, which usually go upon the Newfoundland Fishery, Whale Fishery, and to *Virginia*, &c. generally proceed upon their several Voyages about this Season of the Year, and it is well known the great Advantages those Branches of Trade have been of to Great Britain for many Years past ; that several Merchants and Owners of Ships have applied in the usual Manner to the Lords of the Admiralty for Protections and Leave to proceed on their Voyages with their Ships and Loadings, many of the said Ships have been loaden and ready to go to Sea several Months, with very valuable Cargoes of Woollen Goods and Products of these Kingdoms, some of which are of a perishing Nature ; that their Lordships have acquainted several Merchants,

'chants, who have applied to them at their Board, that
 it was expected all Masters of Ships who wanted the
 Embargo to be taken off in order to go to Sea,
 should, and that each Ship must provide a certain
 Number of Mariners, in Proportion to what they
 carry, for the Use of his Majesty's Ships of War, and
 that unless the Merchants complied with those Terms
 they would not be permitted to have any Protection,
 or used Words to that or the like Effect; that such
 very severe Terms and Precedents as are now pro-
 posed, the Petitioners are wholly unacquainted with,
 and are humbly of Opinion, that if the present Em-
 bargo is continued till the Merchants can supply a
 sufficient Number of Mariners for the Men of War,
 it will be such a Discouragement to our foreign Trade,
 and the Navigation of these Kingdoms in the Mer-
 chants Service, that it is not possible to be performed
 or supported (the great Expence and Charge upon
 each Man to be paid by way of Premium for his en-
 tering on Board a Man of War, may amount to more
 than ten Pounds *per* Man (besides the high Wages
 on account of the War) and if this Practice is to be
 encouraged and established in future, the Crimbs and
 their Landlords, who are the Seamens Advisers, may
 raise the Premium to what Price they please, and in
 time stagnate the whole Maritime Commerce; and
 that it is the humble Opinion of the Petitioners, that
 such a Method will prevent Seamen from ever en-
 tering on board his Majesty's Ships, while the Mer-
 chants are obliged to supply them at such an exorbitant
 Premium; and therefore praying the House to take
 the Premises into Consideration, and permit the Pe-
 titioners to be heard by themselves or Counsel upon
 the said Petition, and grant that such Provision may
 be made in future, to encourage the Trade and Na-
 vigation of these Kingdoms, as to the House shall
 seem meet.'

The Petition being read, Sir John then moved, That
 the Petition should be referred to the Consideration of
 a Committee of the whole House, and that the Peti-
 tioners, if they thought fit, should be heard by them-
 selves before the said Committee, in which Motion he
 was seconded by Mr. Alderman Perry; and the Mo-
 tion

tion being opposed, there ensued a long Debate, in which the following Gentlemen spoke, for and against the Motion, *viz.*

<i>For the Motion.</i>	<i>Against it.</i>
Sir John Barnard,	Thomas Winnington, Esq;
Mr. Alderman Perry,	Henry Fox, Esq;
John Bance, Esq,	Sir Robert Walpole,
Sir James Lowther,	Walter Carey, Esq;
William Pulteney, Esq;	Henry Pelham, Esq;
Sir John Hynd Cotton,	Sir Conyers Darcy,
	Sir John Norris,
	Mr. Attorney General.

The two principal Arguments insisted on in this Debate, by those that were against the Question were, 1st, That the Inconveniences and Grievances complained of by the Petitioners, were such as could not be avoided at the Beginning of a War; for upon such Occasions there was always a great want of Seamen for manning the Navy, which made Embargoes and Pressing necessary, and this must of Course be an Inconvenience and an Interruption to our Trade; but this it was impossible to prevent, because the general Safety was the first thing to be considered in Time of War: Our Well-Being was to be considered; but our Being was first to be considered: Our Well-Being depended upon our Trade; but our very Being, in time of War, depended upon putting ourselves in a proper Posture of Defence at home; and therefore it was necessary to subject the former to some Inconveniences, rather than neglect providing for the latter.

2dly, It was said, that no Measures had been taken, nor any Inconveniences brought upon our Trade in the present War, but what were warranted by the known Prerogatives of the Crown, and authorised by Precedents in the Time of the ablest, the greatest, and the best Ministers, to wit, in the Year 1692 and 1702; and that therefore the Petition then before them, was to be looked on as an Incroachment upon the Prerogatives of the Crown; For if the Petitioners imagined, they had been exposed to any unnecessary Hardships, they ought to have applied to be heard before his Majesty in Council,

cil, who had always shewn himself ready to hear the Complaints of the meanest of his Subjects; but that they had neglected to do this; for though they had presented a Petition much of the same Nature, to the Council, they did not, in that Petition, so much as desire to be heard, either by themselves or Counsel, upon the subject Matter of their Petition.

To the first it was answered, That even our Being as well as our Well-Being depended so much upon the Encouragement and Protection of our Trade, that not only in Time of Peace, but also in Time of War, great Care ought to be taken not to subject it to any Inconvenience or Grievance but such as it is impossible to avoid. That in Time of War, the Merchants knew, their Trade must be exposed to some unavoidable Inconveniences; but these they did not complain of: They complained of our Trade's being subjected to several great Hardships that were either unnecessary, or might have been in a great measure prevented. This the Gentlemen who argued in favour of the Question endeavoured to demonstrate, by entering into an Examination of our Conduct since the Beginning of the War. They said that many Landmen might be taken on board Ships of War, in order to make up their Compliment, who in a few Days would learn to perform all Services upon Deck as well as expert Seamen, and therefore an Encouragement should have been offered, as soon as we resolved upon Hostilities, for able bodied Landmen to enter on board his Majesty's Navy, and no Augmentation made of our Land Forces till our Navy had been sufficiently provided. That if this measure had been taken, no Embargo would have been necessary, but suppose an Embargo had been found necessary, it ought to have been continued upon foreign Ships as long as upon our own; for to allow foreign Ships to depart whilst our own were detained in Port by an Embargo, was giving such an Advantage to foreign Navigation as must destroy our own. To this it was added, that the new Method introduced of giving Ships leave to sail notwithstanding the Embargo, upon Condition of their furnishing a certain Number of Men, was a dangerous Incroachment upon our Constitution; for it was in effect raising Money upon the Subject without

without consent of Parliament. Upon former Occasions, when an Embargo was laid on, Licences were granted to particular Ships on account of the perishable Nature of the Cargo, on account of the Ships going on such a Voyage as must be proceeded on at a particular Season, or on account of some other Peculiarity in the Trade in which she was engaged; but upon the late Embargo all these Considerations were laid aside, and the single Consideration was whether the Merchants concerned would furnish as many Seamen for the Government's Service, as they desired Protections for Seamen for their own, which was in effect compelling them to pay two, or three hundred Pounds for Leave to proceed upon their Voyage; for by our not encouraging Landmen to enter, by refusing many who were willing to enter, and by augmenting our Army before providing for our Fleet, we had raised the Price of expert Seamen so high, that no Merchant could at that time get a Seaman to engage in his Majesty's Service under a less Premium than ten or twelve Guineas per Man.

As to the second Argument it was admitted, That the Power of laying on an Embargo was a Prerogative of the Crown; but like all other Prerogatives, it was never to be exercised but in Cases of Necessity, and when it was proper for the Purpose designed; neither of which was the Case at present; nor were the two Embargoes mentioned any Precedent for an Embargo upon this Occasion. In 1692 we had certain Accounts of a speedy and formidable Invasion designed from France, which did actually put to Sea in less than two Months after our having heard of its Preparation, and was defeated by the glorious Sea Victory at *La Hogue*; so that the Embargo at that Time was in a Case of great Necessity, and of a short Duration. In 1702 again, a very proper and prudent Resolution was taken to begin the War by a vigorous Attack upon Spain, before they could have any long Time to prepare for their Defence, which was accordingly executed very speedily; for the War was declared the 4th of May, and the Fleet designed for this Purpose, with a sufficient Number of Land Forces on board, though we had not then such a Number in the Island as we have at present, sailed on the first of July; so that the Embargo

bargo at that Time was probably designed to prevent the Enemy's hearing of our Preparations, rather than as a Method for the speedier manning of our Navy; and if at either of these Times it was designed for the latter Purpose only, it seemed to have been found ineffectual, for it was never afterwards practised in all that War, though there was an Invasion, and a very sudden and unexpected one too, afterwards designed, and defeated, without putting a Stop to our Trade by an Embargo. For these Reasons, it was said, the Petition was not an Infringement upon the Prerogatives of the Crown, but a Complaint against an improper and unnecessary Exercise of one of the Prerogatives, which might have been brought to Parliament without any sort of Application to Council; but the Merchants had not done so: They had first carried their Complaint to the Council, and if in their Petition they had not expressly desired to be heard, it was because they thought they would of Course be called in to be examined as to the Grounds of their Complaint, for which Purpose many of them did attend, and some of them expressly told one of the Clerks of the Council, and desired him to inform the Lords of the Council, that the Merchants expected to be called in, to explain more at large the Grounds of their Complaint, and the Methods they thought most proper for redressing their Grievances without injuring the Publick Service.

These were some of the chief Arguments for and against this Motion, and the Question being at last put, it passed in the Negative.

The next most important Affair, which seemed intended, but did not come the Length of a Bill, related to the Paper Currency in the Plantations. This Affair had been taken Notice of, in the preceding Session, and upon the 13th Day of June 1739, the House of Commons had ordered two Addresses to be presented to his Majesty, one, ' That his Majesty would be graciously pleased to give Directions, that an Account should be prepared in order to be laid before that House the next Session of Parliament, of what Rates all Gold and Silver Coins were accounted, received, taken, or paid, and Gold and Silver were purchased at and sold per Ounce, in any of the British Colonies

Paper Currency in the
Plantations
taken into
Consideration.

' or

' or Plantations in *America*, in the Years 1700, 1710,
 ' 1720, 1730; and at what Rates Gold and Silver
 ' Coins were accounted, received, taken, or paid, and
 ' Gold and Silver were purchased at or sold per Ounce
 ' at that time, in the said Colonies and Plantations, di-
 ' stinguishing each Colony and Plantation.' And the
 other was as follows, *viz.* ' That an humble Address
 be presented to his Majesty, that his Majesty will be
 graciously pleased to give Directions, that an Account
 be prepared, in order to be laid before this House the
 next Session of Parliament, of what was the Amount
 of the Paper Bills, or Bills of Credit, which by vir-
 tue of any Act or Acts of Assembly, subsisted or
 passed in Payment in any of the *British* Colonies or
 Plantations in the Year 1700; and also, an Account
 of the Amount of what Paper Bills, or Bills of Cre-
 dit, of any Species or Kind, have by virtue of any
 such Act or Acts, been created or issued in any of
 the said Colonies or Plantations since the Year 1700;
 with the Amount of the Value, in Money of *Great*
Britain, of such Bills, as the respective Times of
 their creating and issuing; and what Provision was
 made thereby for the sinking or discharging of any
 such Paper Bills, or Bills of Credit; together with an
 Account of the Amount of the Bills, that have been
 sunk or discharged in pursuance thereof, and also of
 the Bills subsisting or passing in Payment at this Time
 in any of the said Colonies or Plantations; with the
 Amount of the Value, in Money of *Great Britain*,
 of such Bills; distinguishing each Species or Kind of
 Paper Bills, or Bills of Credit, and each Colony or
 Plantation.'

In pursuance of these Addresses *Richard Plumer*, Esq; from the Commissioners of Trade and Plantations, presented to the House, upon the 28th of March last, a Return from the said Commissioners, together with the Returns sent to the said Commissioners from the respective Governors of his Majesty's Plantations upon that Subject, *viz.* from the several distinct Colonies of *New York*, *New Jersey*, *Massachusetts*, *New Hampshire*, *Pennsylvania*; the Counties of *Newcastle*, *Kent*, and *Sussex*; *Antigua*, *St. Christophers*, *Montserrat*, *Maryland*, *Barbadoes* and *Bermuda*. These Returns
 I 3
 were

were all ordered to lye upon the Table for the Perusal of the Members; and on the 10th of April, they ordered an Address to be presented to his Majesty as follows, *viz.* ‘ That his Majesty will be graciously pleased to give Directions, that there may be laid before this House Copies of the Instructions to the several Governors of the British Plantations in America, whereby they are directed to observe and put in Execution an Act of the sixth Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for ascertaining the Rates of the Foreign Coins in America*; and also relating to their not giving their Assent to any Acts of Assembly for the striking and issuing any Paper Bills of Credit in lieu of Money, likewise relating to the passing any Bill or Bills whereby the Trade or Navigation of this Kingdom may be any ways affected.’

On the 15th of April, Richard Plumer, Esq; from the Commissioners for Trade and Plantations, presented to the House, pursuant to their Addresses to his Majesty of the 13th Day of June in the last Session of Parliament, an Account of the Rise and Progress of the Paper Bills of Credit in *South Carolina* from the Year 1700 to this present Time, together with the computed Value in Money of *Great Britain* of such Bills at the respective Times of their creating and issuing, and the Value of such Bills in Money of *Great Britain* at this Time, and also an Account of the Rates and Prices of Gold and Silver Coin in the Province of *South Carolina* in the Years 1700, 1710, 1720, 1730, and at this present Time.

And he also presented to the House, pursuant to their Address to his Majesty of the 10th Day of this instant April, Instructions relating to the Acts of Trade and Navigation given to all his Majesty’s Governors in America, in which an Act for ascertaining the Rates of foreign Coins is inserted; and also,

Instructions to the several Governors of the British Plantations in America, relating to their not giving their Assent to any Acts of Assembly for the striking and issuing any Paper Bills of Credit, in lieu of Money, and likewise relating to the passing any Bill or Bills, whereby

by the Trade or Navigation of this Kingdom may be any ways affected; and also,

Particular Instructions to the Governor of the *Mas-sachusetts Bay and New Hampshire*, in relation to Bills of Credit; and also,

Additional Instruction to the same Governor, in relation to Bills of Credit; and also,

Particular Instruction to *Robert Johnson, Esq;* Governor of *South Carolina*, in relation to Bills of Credit in the Year 1730; and also,

Particular Instruction to the present Governor of *South Carolina*, in relation to Bills of Credit: together with a List of the said Instructions.

These Papers being likewise ordered to lye upon the Table, for the Perusal of the Members, the House, according to order, resolved itself into a Committee of the whole House, to consider of all these Papers, upon the 24th of April, when they came to several Resolutions, and ordered several Motions to be made; and the Report being ordered to be received next Day, before the House had received it, ' A Petition of *Francis Wilks* and *Christopher Kilby, Esqrs*, Agents for the Province of the *Massachusetts-Bay in New England*, for and in behalf of the said Province, was presented to the House and read; setting forth, That in the Year 1730, when *Jonathan Belcher, Esq;* the present Governor of the said Province, first came to his Government, each Year to 1741, was charged with a Debt in Bills of Credit, that had been before that Time issued to answer the Exigencies of Government, of between sixteen and seventeen thousand Pounds, *communibus Annis*, occasioned by a long and distressing War with the *Indians*; and that all the Bills emitted since that Time to defray the growing Charge of the Province, have been laid on the Years preceding 1742; by Means whereof the last Year 1739, and the present Year 1740, and succeeding Year 1741, are each charged with the heavy Burthen of sixty-eight thousand Pounds one Year with another, besides about forty-five thousand Pounds, Principal and Interest, which is to be speedily drawn in for the closing the several Province Loans; and further representing to the House, that by reason of the heavy

Charges of the Province, and the Scarcity of Money,
 the People there have met with great Difficulty in
 the Payment of their Taxes, and in carrying on their
 Trade and Business, there being no other Medium
 of Commerce among them but their Paper Curren-
 cy, the small Quantities of Silver and Gold, which
 are from Time to Time imported, being applied for
 the Payment of the Manufactures of *Great Britain*,
 which are expended in great Quantities in this Pro-
 vince; and that the Paper Currency in all the *British*
 Plantations being now under the Consideration of
 this House, and the Petitioners being intrusted by the
 said Province to take care of their Interest in all Mat-
 ters that may arise here, by which the Interest of the
 said Province may be any ways affected, conceive it
 their indispensable Duty to represent to the House the
 present distressed Condition of the said Province for
 want of a new emission of Paper Currency, which
 they do not desire, but upon providing sufficient Funds
 to secure the sinking and calling in the same, and
 which should they be prevented from doing, the
 Province must necessarily be thrown into the ut-
 most Disorder and Confusion, the Government be-
 without any Support, the Forts and Garrisons remain
 in a defenceless Condition, and wholly unprovided
 with warlike Stores, and the Province be unable to
 equip suitable Vessels of War to guard their Coast,
 and their Trade and Commerce be ruined and un-
 done; and therefore, as the Resolutions to be taken
 by this House, upon this Affair, may greatly affect
 the Interest of the said Province of the *Massachusetts-*
Bay, praying, that the Petitioners may be heard in
 relation to the State of the Paper Currency in *New*
England, before this House comes to any Resolution
 thereon.'

Which Petition was ordered to lye on the Table,
 until the said Report be received, and that the Peti-
 tioners should be then heard by themselves if they
 thought fit.

Immediately after this, *Francis Fane*, Esq; the Chair-
 man of the Committee, reported their Resolutions,
 which he read in his Place, and afterwards delivered
 in at the Table. Then the said *Christopher Kilby*, Esq;

was called in, and the Resolutions were read, which were as followeth, *viz.*

‘ Resolved, That it is the Opinion of this Committee,
‘ 1st, That the Act made the sixth Year of the Reign
‘ of her late Majesty Queen Anne, intituled, *An Act*
‘ for ascertaining the Rates of foreign Coins in her Ma-
‘ jesty’s Plantations in America, hath not been duly ob-
‘ served, as it ought to have been, by Means whereof
‘ many indirect Practices have grown up, and various
‘ and illegal Currencies have been introduced in seve-
‘ ral of the said Colonies and Plantations, contrary to
‘ the true Intent and Meaning of the said Act, to the
‘ Prejudice of the Trade of his Majesty’s Subjects.

‘ 2dly, That the creating and issuing Paper Bills of
‘ Credit, in the British Colonies and Plantations in
‘ America, by virtue of Acts of Assembly there, and
‘ making it obligatory on all Persons to take such Bills
‘ of Credit in Payment for all Debts, Dues and De-
‘ mands, hath frustrated the good Intentions of an Act
‘ of the sixth Year of the Reign of her late Majesty
‘ Queen Anne, intituled, *An Act for ascertaining the*
‘ *Rates of foreign Coins in her Majesty’s Plantations in*
‘ *America*, and hath been a great Discouragement to
‘ the Commerce of this Kingdom, by occasioning a
‘ Confusion in Dealings, and lessening of Credit in
‘ those Parts.’

The said Mr. Kilby was then heard, and after he was withdrawn, the said first Resolution being read a second Time, was agreed to by the House, *nemine contradicente*.

Then Mr. Fane acquainted the House, that he was directed by the said Committee to make a Motion, with respect to the said Resolution; and he having moved accordingly, it was resolved, *nemine contradicente*, ‘ That
‘ an humble Address be presented to his Majesty, that
‘ he will be graciously pleased to require and command
‘ the respective Governors of his Colonies and Planta-
‘ tions in America, effectually to observe his Majesty’s
‘ Royal Instruction, directing them, that the Act of
‘ the sixth Year of the Reign of her Majesty Queen Anne,
‘ intituled, *An Act for ascertaining the Rates of foreign*
‘ *Coin*s

‘*Coins in her Majesty’s Plantations in America, be punctually and bona fide observed and put in Execution, according to the true Intent and Meaning of the said Act.*’

After which he acquainted the House, that he was directed to make another Motion, with respect to the said Resolution, and having moved accordingly, it was resolved, *nemine contradicente*, ‘*That an humble Address be presented to his Majesty, that he will be graciously pleased to issue his Royal Proclamation, to settle and ascertain the Rates and Proportion at which all foreign Gold Coins shall be accounted, received, taken, or paid, in any of his Majesty’s Colonies or Plantations in America.*

The said second Resolution was next read a second Time, and being with an Amendment agreed to by the House, *nemine contradicente*, it then stood as followeth, *viz.*

‘*Resolved, nemine contradicente, That the creating and issuing Paper Bills of Credit in the British Colonies and Plantations in America, by virtue of Acts of Assembly there, and making it obligatory on all Persons to take such Bills of Credit in Payment for Debts, Dues, and Demands, hath frustrated the good Intentions of an Act of the sixth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for ascertaining the Rates of foreign Coins in his Majesty’s Plantations in America, and hath been a great Discouragement to the Commerce of this Kingdom, by occasioning a Confusion in Dealings, and lessening of Credit in those Parts.*

Mr. Fane, according to Directions from the Committee, then made the following Motions, with respect to the said second Resolution, which were likewise both agreed to by the House, *nemine contradicente*, *viz.*

‘*Resolved, That an humble Address be presented to his Majesty,*
 ‘*1st, To return his Majesty Thanks for the Orders he hath already given, and humbly to desire him, that he will be graciously pleased to require and command the*

' the respective Governors of his Colonies and Plantations in *America*, punctually and effectually to observe his Majesty's Royal Instructions not to give Assent to or to pass any Act, whereby Bills of Credit may be issued in lieu of Money, without a Clause being inserted in such Act, declaring, that the same shall not take Effect, until the said Act shall be approved by his Majesty.'

' adly, That he will be graciously pleased to give Directions to the Commissioners for Trade and Plantations to prepare, in order to be laid before this House the next Session of Parliament, an Account of the Tenor and Amount of the Bills of Credit, which have been created and issued in the several *British* Colonies and Plantations in *America*, as well those under Proprietors and Charters, as under his Majesty's immediate Commission and Government, that shall be then outstanding, distinguishing the Amount of the same in each Colony or Plantation, and the respective Times when such Bills so outstanding were issued, with the Amount of the said Bills in Money of *Great Britain*, both at the Time such Bills were issued, and at the Time of preparing the said Account, together with their Opinion what will be the most easy and effectual Manner of sinking and discharging all such Bills of Credit, with the least Prejudice to the Inhabitants of the said Colonies and Plantations and Interruption of the Commerce of this Kingdom.'

These Addresses were, as usual, ordered to be presented to his Majesty by such Members of the House as were of his Majesty's most honourable Privy Council, and the said Resolutions were ordered to be laid before him at the same Time.

It was then moved and resolved, ' That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions to the Commissioners for Trade and Plantations, to prepare forthwith a compleat Collection of all the Laws, which have been made, and are now in force in any of the *British* Colonies in *America*, whether under Proprietors or Charter Governments, or Commissions from his Majesty, distinguishing which have, and which have not

not had his Majesty's Royal Approbation, and the
respective Times when such Approbation was given;
and that his Majesty would be graciously pleased to
cause the said Laws, when collected, to be printed and
published.

After which a Motion was made, ' That an humble
Address be presented to his Majesty, that he will be
graciously pleased to give Directions, that there be
prepared, to be laid before this House the next Se-
sion of Parliament, Copies of the several Memorials,
Representations, and other Papers, which have been
presented to his present or late Majesty, or any prin-
cipal Secretary of State, or the Commissioners for
Trade and Plantations, by the Merchants and Traders
of *London, Bristol, or Liverpool*, or any other Per-
sons, relating to any Act or Acts of Assembly for
the creating or issuing any Paper Bills or Orders of
Credit, or relating to the raising of the Coin, in
any of the *British Colonies in America*, and for reme-
dying the Evils arising from both to the Trade of
this Kingdom, since the 29th of June 1716; with
an Account of what Proceedings have been severally
had upon such Memorials, Representations, and other
Papers.'

But upon putting the Question, it passed in the Ne-
gative.

And lastly, it was moved and resolved, ' That an
humble Address be presented to his Majesty, that he
will be graciously pleased to give Directions that there
be prepared, to be laid before this House, the next
Session of Parliament, Copies of such Charters of his
Majesty's Colonies in *America*, granted by his Ma-
jesty or his Royal Predecessors, as are now subsisting
and in force.'

I am sorry our Countrymen in the Plantations should
have fallen into such an egregious Mistake as that of
anticipating and mortgaging their Publick Revenue for
such a Number of Years. It is a most pernicious and
dangerous Practice, and really what no Legislature has
properly a full and absolute Power to do. The Publick
is always in the Case of an Infant; and therefore, when
the Legislature at one time, or in one Age, anticipates
and mortgages the Publick Revenue, the Legislature
in

in the next Age has a Right to judge of the Necessity and Utility of that Anticipation; and if they find that it was not necessary, or that the Money was not frugally applied to the real Use of the Publick, they may, not only legally and justly, but honourably, refuse to make such Mortgagors or Anticipations good; for an Infant is not even in Honour obliged to pay Money lent him in his Infancy or Minority by Extortioners for supplying his Extravagances: I say Extortioners, for none but such will lend Money for such Uses; and there are very few that lend Money to the Publick from a pure Motive of Publick Spirit, even when the known Necessities of the Publick make such Anticipations absolutely necessary.

The only two other Affairs I shall take Notice of, which seemed to intend, but did not come the Length of a Bill, were, that relating to Scavengers, and that relating to Watermen. As to the first, it proceeded originally from an Order made by the House of Commons, on the 8th of February, as follows, ‘ That the Justices of Peace for the Cities of *London* and *Westminster* do take care that the Scavengers keep the Passages through the Streets between the *Royal Exchange* and *Westminster Hall* free and open, from all Nuisances whatsoever; and that there be no Obstruction to hinder the Passages of the Members to and from this House; and that the Serjeant at Arms attending this House, do give notice of this Order to the Justices aforesaid.’ Upon this the Justices of the Peace for the City and Liberty of *Westminster*, after several Meetings, resolved upon the following Petition, which was presented to the said House on the 18th of February, and being read, set forth as follows, viz.

‘ That the Petitioners having received the Directions of the House to take care that the Scavengers keep the Streets free and open from all Nuisances, and that there may be no Obstructions to hinder the Passage of the Members to and from the House of Commons, find themselves obliged to lay the following Reasons before the House, why they are not capable of doing what is required of them; that by the Act passed in the second Year of the Reign of King *William* and Queen *Mary*, for cleansing the Streets, there is no Penalty

Order relating to Scavengers.

Petition of the Justices relating to Scavengers.

Penalty laid either on the Scavenger or Rakers, for not carrying away the Street Dirt; that the Justices being obliged to appoint such Persons as have most Voices or Hands at Parochial Meetings, the Inhabitants suffer great Losses and Inconveniences by the Appointment of improper and insufficient Scavengers; that the Scavengers may agree on what Terms, and with what Rakers they please, without any Power given either to the Justices or Inhabitants to interpose; that, in consequence of these Agreements, the Petitioners have great reason to believe, the Scavengers in some Parishes have received Poundage of the Rakers for employing them, and in others for a Sum of Money wholly made over the Rate to the Rakers, and at the End of the Year have refused to give any other Account than their Receipts; by which Means the Parishes have been defrauded of any Surplus on their Rates, the Scavengers have had no Regard to the Interest of their Parish, in making their Contracts; and the Rakers, being under no controul, are notoriously negligent in the Discharge of their Duty; that many Losses and Inconveniences happen from the Scavengers not being compellable to give any Accounts of their Receipts and Payments, or (however insufficient they may be) to pay over the Money into safe Hands, till after the Expiration of the Year; that under the present Laws the Scavengers cannot be restrained from paying the Rakers, though they do not their Duty, which the Justices apprehend to be one great Cause of their gross Neglect; but that, was a Power given to stop Payment, till the Rakers had effectually cleansed the Streets, the Petitioners imagine, it would have a better Effect, and be as strong an inducement to them to do their Duty, as any Penalty that should be laid upon them; that the Petitioners, as Justices, have no Power to remove the Nusances and Obstructions in the Streets, and can proceed only by Indictment, as any other Person may do, which is very dilatory and expensive, and no Provision is made for defraying the Charges; and further representing to the House, that for many Years past, great Difficulties have arisen in the Execution of the Act passed in the 12th Year of the Reign of Queen Anne (relating

(relating to Vagrants) which are so well known, as to make it unnecessary to enter into the Particulars, and that they find by Experience they cannot cure the Grievance so justly complained of, until some more effectual Provision is made by the Wisdom of Parliament; and further representing to the House, besides the Defects already mentioned, the Difficulties and Discouragements the Justices of the Peace lye under in executing these and other Acts of Parliament, from the many Niceties and Forms of Law, wherein, if they happen to be mistaken, (as the greatest Lawyers have often been) they are as liable in many Cases to Actions, as if they had acted contrary to their Duty; and that this is still the greater Hardship, as there are no Forms of Convictions, Rates, Orders, or Warrants of Distress settled and approved of, under which they might act with more Security; and praying such Relief in the Premises, as to the House shall seem meet.'

This Petition was ordered to lye on the Table, and nothing farther done in the Affair during that Session.

The other Affair relating to the Watermen, likewise proceeded no farther than a Petition, which was presented to the House of Commons on the 13th of March, in the Name of the Watermen of the Parishes of St. Margaret, and St. John the Evangelist, Westminster, and being read, set forth as follows, viz. 'That by an Act made in the 11th and 12th Yeats of the Reign of his Majesty King William the Third, (for the Explanation and better Execution of former Acts made, touching Watermen and Wherrymen, rowing on the River Thames, and for the better ordering and governing the said Watermen, Wherrymen, and Lightermen, upon the said River, between Gravesend and Windsor) it is provided, that the said Act, or any thing therein contained, should not extend to hinder or prevent the Watermen of the Parish of St. Margaret Westminster, from plying or working cross the River Thames, from Westminster Bridge to Stargate, and from the Horse-Ferry to Lambeth-Bridge, on every Lord's Day; and that the Money earned by them, or any of them on that Day, is thereby directed to be from time to time employed for the Use of the poor,

Watermen
Petition
against lodg-
ing their
Charity Mo-
ney in the
Hands of
their Com-
pany.

poor, aged, decayed and maimed Watermen and their Widows, of the said Parish of St. Margaret, Westminster; and that by an Act passed in the ninth Year of the Reign of his present Majesty, for building a Bridge croſs the River *Thames*, from the *New Palace Yard* in the City of *Westminster*, to the opposite Shore in the County of *Surrey*, it is enacted, that the Recompence Money, fit to be made to the poor Watermen of the Parishes of St. Margaret and St. John the Evangelist in *Westminster*, should be vested in the Hands of the Overseers, Rulers, Auditors and Assistants of the Society or Company of Wherrymen, Watermen, and Lightermen, upon the River of *Thames*, between *Gravesend* and *Windsor*, to be laid out by them or the major Part of them in some of the Publick Funds, and the Income and yearly Produce of the said Money, to be distributed amongst such poor, aged, decayed and maimed Watermen, and their Widows, of the said Parishes, in such Manner and Proportion, as shall be thought proper, from time to time, by the said Overseers and Rulers, Auditors and Assistants, or the major Part of them; and that the Petitioners conceive, that by the said Clause, great Inconveniencies may arise to the said poor, aged, and decayed Watermen in being relieved as their Necesfities may require (they being ſo far diſtant) there being but ſeven or eight general Courts held by the ſaid Company of Watermen, Wherrymen and Lightermen in one Year; by which means the Poor cannot, as the Petitioners conceive, be ſo ſuitably ſupplied with the neceſſary Addition, as they now are with a weekly Supply, and with Money for the Burial of the Dead; and therefore praying, that the House will take the Premiſes into Consideration, and that a Clause may be inserted in the Bill depending, relating to *Westminster Bridge*, for vesting the ſaid Recompence Money in the Hands of the Church Wardens of the Parishes of St. Margaret and St. John the Evangelist in *Westminster*, for the Time being, to be by them placed and laid out in ſome of the Publick Funds, or in Government Security, or in ſuch Manner, as to the House ſhall ſeem meet.

The

This Petition I have particularly taken notice of, because it confirms me in an Opinion I have long had, that all publick Establishments for Relief of the Poor, which extend beyond the Bounds of a Parish are inconvenient, and often useless to real Objects of Charity, destructive of Industry and Frugality among the Vulgar, and generally at last become nothing but a mere Piece of Job-Work. The Managers of a great and extensive charitable Establishment are generally at such a Distance, or are such Grandees, that few real Objects can apply or have access to them; and as they cannot be personally acquainted with many of those that make Application, the Charity is often applied either to those that are not in any real Distress, or to those that by their Laziness or Extravagance deserve the Distress they are in; and to relieve such Objects is of the most pernicious Consequence to the Industry and Frugality of the Vulgar; whereas, when the charitable Establishment does not extend beyond the Bounds of a Parish, and is under the Management of the Parish Officers, the real Objects may easily apply and have access to the Managers, who generally have a personal Knowledge of those Objects that apply; and if they misapply the Charity committed to their Trust, they may more easily be called to an Account and punished, than Lords and Grandees, who usually get themselves chosen Governors of great Hospitals.

I come now to give an Account of those other Affairs or Motions in Parliament, which did not seem to be intended as an Introduction to any Bill, and as it is difficult to judge of their Importance, I shall give them in the Order of Time in which they happened, beginning with an Affair which took it's Rise from an Order made in the House of Lords, at the End of the preceding Session, by which the Lords of Session in Scotland were directed to lay before that House, in the next Session of Parliament, a List of the Peers of Scotland. Their Return was accordingly laid before that House last Session, and was as followeth, *viz.*

Return of
the Lords of
Session in
Scotland to
an Order of
the House
Peers of the
12th of
June 1739.

To the Right Honourable the LORDS Spiritual and Temporal in Parliament assembled.

May it please your Lordships,

IN Obedience to your Lordships Order of the 12th of June last, requiring that the Lords of Session in Scotland do make up a Roll or List of the Peers of Scotland, at the Time of the Union, whose Peerages are still continuing, and do lay the same before your Lordships, in the next Session of Parliament; and that the said Lords do, as far as they shall be able, state, in such Roll or List, the particular Limitations of such Peerages.

The Lords of Session have, by Committees of their own Number, made all the Inquiry they have been able, by searching into the Publick Records, and examining the proper Officers to whose Care the keeping of them is committed, in order to give your Lordships all the Satisfaction that is in their Power. And they humbly beg Leave to report,

THAT after the most careful Search and Examination, they have not hitherto found amongst the Records, any Roll or List of the Peers of Scotland, at the Time of the Union, authenticated by the Subscription of the Lord Register, or of any other Officer or Person whatsoever; all they have been able to meet with to give Satisfaction in this Particular, is an unsigned Writing on a Sheet of Paper, intituled. *Roll of Parliament, 1706*, bearing first, a List of the Peers according to their Rank; next, a List of Commissioners from Shires to that Parliament; and then, a List of the Commissioners from Burghs; and this Writing, some of the Officers who were then employed under the Lord Register say, was the very Roll or List that was daily called over in the last Parliament of Scotland, pursuant to the constant Practice of calling over the Roll both of Peers and Commons, who sat together in one House, before the House proceeded to Business; and also of collecting the Voices, by calling over the Rolls when any Point was to be resolved by a Question: They also find,

and, that this Roll or List has, ever since the Union, been looked upon as authentick, and that Copies thereof, so far as concerns the Peerage, have been made use of, with some Additions hereafter to be mentioned, and called over at every Meeting of the Peers of Scotland, for the Election of one or more Peers to serve in the Parliament of Great Britain, from the Year 1708, down to this Time. And that your Lordships may be able to discover whether this List agrees with that which was laid before your Lordships by the Lord Register of Scotland, in Obedience to your Lordships Order of the 2d December, 1707, a Copy of the List of Peers, as it stands in the said Roll, is hereunto annexed in the Appendix, and marked N^o. 18.

They further report, That this Roll or List of Peers, which they consider as that which was *de praxi* made Use of, and called over in the last Parliament of Scotland, in which the Union was enacted, and therefore deemed to be a true one, has suffered several Alterations since that Time, some of which are of that Nature and Notoriety, that they may presume to certify them to your Lordships; whereas they must content themselves with respect to others, with stating the Case so far as it appears to them, without concluding positively from what they shall so state: One great Alteration they refer to is, what was made by the Attainers of

EARLS.	EARLS.	VISCOUNTS.
Marishal,	Carnwath,	Kilsyth.
Mar,	Callender, by the	
Nithsdale,	Attainer of	LORDS.
Winton,	Earl Lithgow,	Sinclair,
Linlithgow,	Panmure.	Burleigh,
Perth,		Duffus,
Seaforth,	VISCOUNTS.	Nairn.
Southesk,	Kenmure,	
Airly,	Kingston,	

of High Treason, for their Accession to the unnatural Rebellion that was raised in the Year 1715, which takes Nineteen out of the Roll or List of the Peerage of Scotland. Another Alteration they presume to mention, because it is certain, is the Addition of three Peers

to the said List; to wit, his Royal Highness the Prince of *Wales*, Prince and Stewart of *Scotland*, by the Title of Duke of *Rothsay*, under which his present Majesty, whilst Prince, voted by List, at the Election of a Peer to serve in Parliament in the Room of the Marquis of *Tweedale*, *Anno 1716*; and the Lords *Somervel*, and *Colvil of Culross*, who, by your Lordships Resolutions of the 27th of *May, 1723*, were found to have Right to the Honours and Dignity which they respectively claimed, and who on the 31st of that Month obtained a Signification of his late Majesty's Pleasure, by the Duke of *Roxburgh* then Secretary of State, to the Lord Register of *Scotland*, to place them in the List of the Peers of *Scotland*, conform to your Lordships Resolutions aforesaid; and they have accordingly voted at the succeeding Elections: Taking therefore from the said Roll or Lists in the Appendix, the said nineteen Peers attainted, and adding thereto the three Peers last described, they humbly certify to your Lordships, that the Roll or List of the Peers of *Scotland* stands at present, so far as with Certainty appears to them, thus:

DUKES.	EARLS.	EARLS.
His Royal Highness the Prince of <i>Rothsay</i> .	Craufurd, Erroll, Sutherland,	Kinnoul, Loudon, Dumfries,
Hamilton, Buccleugh, Lennox, Gordon, Queensberry, Argyle, Douglas, Athole, Montrose, Roxburgh.	Monteith, Rothes, Mortoun, Buchan, Glencairn, Eglintoun, Cassils, Caithness, Murray, Hume, Wigtoun, Strathmore, Abercorn, Kelly, Haddington, Galloway, Lauderdale,	Stirling, Elgin, Traquair, Ancrum, Weyms, Dalhousie, Findlater, Leven, Dyfert, Selkirk, Northeast, Kincardine, Belcarras, Forfar, Aboyne, Newburgh, Kilmarnock,
MARQUISSES.		Dun-
Tweedale, Lothian, Annandale.		

EARLS.	VISCOUNTS.	LORDS.
Dundonald,	Irvine,	Cardross,
Dunbarton,	Dumblain,	Colvil of Culross.
Kintoir,	Prestoun,	Cranstoun,
Broadalbin,	Newhaven,	Jedburgh,
Aberdeen,	Strathallon,	Maderlzy,
Dunmore,	Teviot,	Couper,
Melvil,	Duplin,	Napier,
Orkney,	Garnock,	Cameron,
Ruglen,	Primerose.	Cramond,
March,	LORDS.	
Marchmount,	Forbes,	Reay,
Seafield,	Saltoun,	Forrester,
Hyndford,	Gray,	Pitfigo,
Cromarty,	Ochiltree,	Kirkcudbright,
Stair,	Cathcart,	Fraser,
Roseberry,	Mordington,	Bargeny,
Glasgow,	Semple,	Bamff,
Portmore,	Elphinstone,	Elibank,
Bute,	Olyphant,	Halkertoun,
Hopetoun,	Fraser of Lovat,	Belhaven,
Deloraine,	Borthwick,	Abercrombie,
Islay.	Rofs,	Rollo,
VISCOUNTS.		Colvil,
Falkland,	Somervel,	Ruthven,
Dunbar,	Torphichen,	Rutherford,
Stormont,	Spynie,	Bellenden,
Arbuthnot,	Lundoirs,	Newark,
Oxford,	Balmerinoch,	Eymouth,
	Blantyre,	Kinnaird,
		Glasford.

But they dare not presume to transmit this to your Lordships as a List of the Peerage of *Scotland*, without observing two Things; *First*, That as they have in examining the Records, met with many ancient Peerages, such as *Lyle*, *Holyroodhouse*, *Monypeny*, *Innerkeithing*, and others, not entered in the said Roll or List that was called over in the last Parliament of *Scotland*; nay, some of them not appearing to have sat or voted for a Century; as it is impossible for them to discover, so as to be able to report to your Lordships with any Certainty, whether any, or which of these Peerages may be extinct, or joined with other Titles in the same

Persons; as if any Person should hereafter appear; and vouch a sufficient Right to any of those Peerages, your Lordships would admit them, as you did in the Cases above mentioned, of *Somervale* and *Colvill of Cudross*: And as there may be several ancient Peerages, that do not appear in the said Roll or List, now and for many Years past, conjoined with higher Dignities in the same Person, which may hereafter separate, as the Limitations of the Succession of the several Peerages may be different; so the above Roll cannot be looked upon as a compleat List, such as should exclude any farther Claims to ancient Peerages duly to be made and vouched.

The second Observation they humbly make, is, that though in drawing out the above Roll or List, they have left out such of the Peers, contained in the List referred to in the Appendix, as they were warranted to leave out by legal Evidence; yet they have Reason, from examining the Records, to think, that several of the Peerages in the above Roll or List are extinct, or so joyned with other Titles in the same Person, as not to be again separable from them: though not having absolute Certainty or legal Evidence of this, they could not take upon them to leave those Peerages out of the Roll or List, which your Lordships directed them to lay before the House: But as they take it to be their Duty to give your Lordships all the Light they are able, under the proper Guards to prevent your Lordships from being misled, by the Information they may offer so far as it is imperfect, they take the Liberty, humbly to lay before your Lordships such Observations, as leave it doubtful, whether the Persons claiming some of the said Peerages have sufficient Right thereto, or as lead them to think, the several particular Peerages in the above written Roll or List are extinct, or joyned in the same Person with other Peerages, not again to be separated: And they have annexed in the Appendix, N^o. 2. Copies of the Words of Limitation in the several Patents to which the Observations refer.

MON.

M O N T E I T H .

I. **T**HE N, they observe that there is in the Record of the Great Seal, in the Lord Register's keeping, a Patent by King *Charles I.* granting the Dignity of Earl of Monteith and Strathern, *Anno 1631*, to *William Earl of Strathern*, and to his Heirs Male, and of Tailzie; that they find no Charter altering this Limitation; that the Earl of Monteith appears to have sat in the Parliament of Scotland, *Anno 1693*, but not since that Time; and that no Person has, by himself or Proxy, or by a signed List, attempted to give any Vote since the Union as Earl of Monteith, in any Election of a Peer or Peers, to sit in Parliament; but whether any Heirs Male, or of Tailzie, of the said *William Earl of Strathern* or *Monteith*, do now exist; or whether the Limitation of the Succession of that Peerage was altered by any new Patent, or by any Charter on the Resignation of the original Patentee, or his Successors, they cannot discover.

A N C R U M .

II. **T**HEY observe, that there is in the Record of the Great Seal, in the Lord Register's keeping, a Patent, *Anno 1633*, granting to Sir *Robert Ker*, Knt; and to the Heirs Male of the Marriage betwixt him and *Lady Ann Stanly* only Daughter to the Earl of Derby, his second Wife, which failing to the Heirs Male of the said Sir *Robert Ker*, and their Heirs Male for ever, the Title of Earl of *Ancrum*: By the Rolls of Parliament it appears, that the Earl of *Ancrum* sat in the Parliament 1681; but as no one has sat in Parliament since that Time, or claimed a Vote at any Election since the Union under that Title; and as by the laid Patent it appears, that failing Heirs Male of that Marriage, the Honours of *Ancrum* were to descend to the Heirs Male of Sir *Robert*, the first Patentee, whose eldest Son appears by the same Patent, to have obtained the Honours of Earl of *Lothian*; if there is no Male Descendant of the said *Robert*'s second Marriage, the Title of *Ancrum* is, so far as they can discover, joined with

with that of *Lothian*, in the present Marquis of *Lothian*.

F O R F A R.

III. **T**H E Y observe, that there is in the Record of the Great Seal, in the Lord Register's keeping, a Patent, *Anno 1661*, granting to *Archibald Douglas*, and his Heirs Male, the Title of Earl of *Forfar*. The last Earl of *Forfar* died of the Wounds he received at the Battle near *Dumblain*, *Anno 1715*: No one has attempted to vote under this Title since his Death; and as by the Records in Chancery it appears, that the Duke of *Douglas* is served and retoured nearest Heir Male to the said deceased Earl; this Peerage, so far as they can discover, is at present in the Duke of *Douglas*.

D U M B A R T O N.

IV. **T**H A T the only Patent that appears of the Honours of Earl of *Dumbarton*, is in the Records of the Great Seal, and is dated in *1675*, and limits the Descent to the Heirs Male of the Body of *Lord George Douglas*, the first Pattee; so that if there are no Heirs Male of his Body existing, and if no Alteration has been made of this Limitation by some later Charter, which does not appear, the Title is extinct.

M E L V I L.

V. **T**H A T the Title of Earl of *Melvil* is, by the original Grant thereof, *Anno 1990*, to be found in the Register of the Great Seal in the Chancery Office, limited to the Pattee, and the Heirs Male of his Body: That the present Earl of *Leven*, to whom, and the Heirs Male of his Body, the Honours of *Leven* are limited, is the Heir Male of the Body of the Pattee of the Honours of *Melvil*; so that the Honours of *Leven* and *Melvil* must remain conjoined in the same Person, so long as there shall be Male Descendants of the Body of the present Earl.

R U G.

RUGLEN.

VI. T HAT by the only Patent of the Honours of *Ruglen*, which appears in the Records of the Great Seal, Anno 1697, in the Chancery Office, the Limitation is to Lord *John Hamilton*, the present Earl, and to the Heirs Male of his Body, which failing to the Heirs of his Body whatsoever; that by the decease of the late *Charles Earl of Selkirk*, without Heirs Male of his Body, the Title of *Selkirk* is now devolved, by an express Limitation in the original Charter of the Honour of *Selkirk*, Anno 1688, in the Records of the Great Seal in the Chancery Office, on the said *John*, Earl of *Ruglen*, and will remain conjoined with the Title of *Ruglen*, so long as there shall remain Male Heirs of the Body of the present Earl; but as on Failure of such Males the Honours of *Selkirk* are further limited, to the fourth, fifth, and remaining Sons of *William*, Duke of *Hamilton*, and the Heirs Male of their Body; whereas the Honours of *Ruglen* are descendible to the Heirs whatsoever of the present Earl's Body, those Titles may hereafter separate.

FINDLATER and SEAFIELD.

VII. T HAT by the Patent of the Title of Earl of *Seafield*, in the Record of the Great Seal, Anno 1701, in the Chancery Office, the Title is granted to the Patentee, whilst his Father the Earl of *Findlater* was living, and to the Heirs Male of his Body, which failing to his other Heirs of *Tailzie* succeeding to him in his Lands, Baronies, and Estates; and by the Patent of the Honours of *Findlater*, Anno 1638, in the Record of the Great Seal in the keeping of the Lord Register, the Limitation is to the Heirs Male of the Body of the Patentee, succeeding to him in his proper Estate of *Findlater* and *Deskfoord*. These Titles are at present joined in the Earl of *Findlater* and *Seafield*; but whether they may not hereafter separate, will depend on the Form of the Settlement of the Succession in the Estates of *Findlater* and *Deskfoord*, the Patrimony of the first Earl of *Findlater*, to which his Patent

tent refers, and on the Form of the Settlement made by the first Earl of *Seafield*, of his Lands, Baronies, and Estate.

OXFORD.

VIII. THAT the Patent creating the Viscount of *Oxford* appears in the Records of the Great Seal in the keeping of the Lord Register, *Anno 1651*, and is limited to the Patentee's Heirs Male, of Tailzie and Provision whatsoever; it appears by the Rolls of Parliament, that the last Time that any Person sat or voted in virtue of that Title was in the Convention of Estates 1689; since that Time it does not appear, that any one on this Title claimed a Vote in Parliament, or at Elections since the Union, until the Election 1733, when two different Persons, *viz. Robert Maitland* and *James Mc Gill* claimed the Title, and gave in Lists; they believe that one of those Claimants, *James Mc Gill*, presented a Petition to his Majesty, claiming that Peerage as his Right, and that this Petition having been referred to your Lordships, the Petitioner was heard thereupon, and that your Lordships came to a Resolution thereon in the Year 1735. to which they beg leave to refer.

TEVIOT.

IX. THAT the Patent creating Sir *Thomas Livingstone* Viscount of *Teviot*, appears in the Records of the Great Seal in the Chancery Office, *Anno 1696*. limiting the Honours to the Heirs Male of the Patentee's Body; the said Viscount sat in the Parliament 1704. but not since; nor has any one in right of that Peerage claimed a Vote at any Election since the Union, and if there are no Heirs Male of his Body the Title is extinct.

DUPLIN.

X. THAT the Patent creating *Thomas Hay*, Viscount of *Duplin*, appears in the Records of the Great Seal in the Chancery Office, *Anno 1697*, limiting

ing the Honours to the Heirs Male of his Body, which failing to his other Heirs of Tailzie; and as there appears in the same Records; Anno 1704. a Charter upon the Resignation of *William Earl of Kinnoul*, of the Honours of Earl of *Kinnoul*, to the said *William* during his Life, and failing of him by decease, to *Thomas Viscount of Duplin*, and the Heirs Male of his Body; which failing to his Heirs of Tailzie and Provision, succeeding to him in his Lands and Baronies of *Duplin*; under which Grant, the Honours of *Kinnoul* have been enjoyed by the Viscount of *Duplin*; these Honours are now conjoined in the same Person, and seem to be inseparable.

OCHIL TREE.

XI. THAT there appears no Patent so far as can be discovered on Record, creating the Title of Lord *Ochiltree*, nor has any Person sat in Parliament under that Title since the Year 1617. nor claimed a Vote at any Election since the Union in Right thereof; but whether some Person may not appear, and make good a Claim thereto, they cannot say.

BORTHWICK.

XII. THAT there appears no Patent in the Records constituting the Peerage of Lord *Borthwick*, nor does any Person appear to have sat in Parliament under that Title, later than the Year 1662. In the Year 1734, *Henry Borthwick* at the general Election of sixteen Peers for this present Parliament, claimed his Vote as Lord *Borthwick*, and gave in a List, as he has done at the several Elections of single Peers since the said Election. In 1734, the Earl of *Marchmont* protested, that no Person might be admitted to vote as pretending Right to Peerages by the Titles of *Borthwick*, *Kirkcudbright*, or *Rutherford*; but no other Competitor has appeared to claim the Honour of *Borthwick*; but whether the Right of the said *Henry Borthwick*, to the Title of *Borthwick* is good, they cannot say.

SPYNZIE.

XIII. THAT the Patent creating Lord *Spynzie* has not hitherto been found in the Records, nor has any Person sat in Parliament under that Title since the Year 1669, neither has any Person claimed a Vote in Virtue thereof at any Election since the Union; but whether this Peerage is extinct, they cannot say.

CARDROSS.

XIV. THAT the Patent creating Lord *Cardross* has not hitherto been found, that the present Earl of *Buchan* sat in Parliament *Anno 1695*, as Lord *Cardross*: That in the Year 1698, the Lord *Cardross* claimed the Honours of Earl of *Buchan*, and by a Resolution of Parliament, was admitted to sit and vote as Earl of *Buchan*; that these Honours are thus joined in the same Person, but whether they must remain so for ever, or may separate, they cannot say, as the Limitation of the Peerage of *Cardross* does not appear.

JEDBURGH.

XV. THAT the latest Charter of the Honours of Lord *Jedburgh* that has hitherto been found, is in the Records of the Great Seal in the Year 1670, in the Lord Register's keeping, which on Failure of *Robert Ker of Ferniburgh*, and the Heirs Male of his Body, limits the Honours to *William Master of Newbattle*, and the Heirs Male of his Body, which failing, to the said *Master's* nearest Heirs Male whatsoever; that this *William Master of Newbattle* succeeded to the Honours of *Jedburgh*, and on that Title voted in Parliament *Anno 1702*, where his Father the Marquis of *Lothian* also sat and voted as Marquis of *Lothian*, and upon his father's decease, succeeded to the Honours of *Lothian*; and therefore if a Judgment were to be formed on what thus appears, it would be natural to conclude, that the Honours of *Jedburgh* and *Lothian* are conjoined in the same Person; but as it appears that the present Marquis of *Lothian* in his Father's

ther's Life-time voted, *Anno 1712*, at the Election of a Peer to sit in Parliament, in the Room of the Earl Marshal then deceased, under the Character of Lord Jedburgh; it is not impossible that the Family of *Lothian* may be possest of some Settlement of this Peerage of *Jedburgh* different from what hitherto has been found in the Records.

M A D E R L Z Y.

XVI. T H A T they have not found the Patent creating the Lord *Maderlzy* in the Records: That the Lord *Maderlzy* appears by the Rolls of Parliament to have sat and voted, *Anno 1669*; that no Person appears to have sat in Parliament, or to have claimed a Vote at any general or particular Election of a Peer or Peers, after the Union under that Title; but whether the Title is extinct, or joined with some other Peerage in the same Person, they cannot take upon them to say.

C O U P A R.

XVII. T H A T there appears in the Records of the Great Seal, in the Lord Register's keeping, the Charter of Erection of the Lordship of *Coupar*, *Anno 1607*. in Favours of *James Elphinston*, lawful Son of the Lord *Balmerinoch*, and the Heirs Male of his Body, which failing, to his Father, and his Heirs Male, and of *Tailzie*, contained in his Infeftments of the Barony of *Balumby*; it appears from the Rolls of Parliament, that no Person has sat or voted in Parliament as Lord *Coupar*, since the Year 1662. neither has any one claimed a Vote under that Title, at any Election, since the Union, so that if there are no Heirs Male of the Body of the Lord *Coupar* the Patentee, it is likely that Peerage is now joined with that of *Balmerinoch*, in the same Person, not to be hereafter separated.

C R A M O N D.

XVIII. T H A T in the Records of the Great Seal, in the keeping of the Lord Register, there appears

appears a Patent, *Anno 1628.* creating *Elizabeth*, the Wife of Sir *Thomas Richardson*, Lord Chief Justice of the Court of Common Pleas, during all the Days of her Life, Baroness of *Cramond*, and after her Decease, granting the same Honours to Sir *Thomas Richardson*, the Son of the said Lord Chief Justice, and his Heirs Male, which failing, to the Heirs Male of the Body of the said Lord Chief Justice, with right to vote in Parliament, if personally present, and not otherways: That in examining the Rolls of Parliament, and the Proceedings at all the Elections since the Union, it does not appear that any Person ever sat or voted as Lord *Cramond*, or that any one offered to vote at any Election, since the Union, under that Title; but as the Descendants of the said Sir *Thomas Richardson*, if any were, had probably their Residence in *England*, their not having claimed hitherto, can be no Objection to their Title, if they can verify their Right to it.

K I R K C U D B R I G H T.

XIX. IN the Records of the Great Seal, in the keeping of the Lord Register, there appears a Patent, creating Sir *Robert Mc Lellan*, Lord *Kirkcudbright*, *Anno 1633.* and granting the Honours to him and his Heirs Male, carrying his Name and Arms: It does not appear, that ever this Lord *Kirkcudbright*, or any Person in his Right, sat or voted in Parliament; but it appears from searching into the Proceedings at the several Elections of Peers since the Union, that *Anno 1721.* at the Election of a Peer to serve in Parliament, in the Room of the then deceased Marquis of *Annandale*, James *M^c Lellan* of *Auchluan*, offered his Vote as Lord *Kirkcudbright*, but that Vote appears to have been protested against, as being given by a Person who had not made good his Title to that Peerage. In the Year *1734.* at the general Election of fifteen Peers, to serve in the present Parliament, after the Decease of the said *James*, without Heirs Male of his Body, William *M^c Lellan* voted as Lord *Kirkcudbright*, and was protested against by *James M^c Lellan*, who laid Claim to that Peerage, and voted in Right thereof: The said *William* has voted since that Time at all the Elections

Elections of single Peers, without any Objection; but whether his Right so to do is well founded, they cannot take upon them to say.

B A R G E N Y.

XX. THAT the Patent of the Lord *Bargeny* has not been met with in the Records. By the Proceedings in a Cause which lately depended before the Court of Session, and which was brought by Appeal before your Lordships, touching the Succession to the Estate of *Bargeny*, it appears, that there is no Heir Male existing of the Body of *John Lord Bargenny*, who *Anno 1688.* made the Settlement of his Estate, on which that Question depended; and no Person has at any Election, since the Death of the last Lord, claimed a Vote in Right of that Peerage; but as they cannot discover from the Records the Limitation of that Dignity, they cannot take upon them to say, whether it is extinct or not.

A B E R C R O M B I E.

XXI. THAT there appears in the Records of the Great Seal in the Chancery Office, a Patent *Anno 1647.* granting the Dignity of Lord *Abercromby* to Sir *James Sandilands*, and the Heirs Male of his Body; but it does not appear, that either the Patentee, or any Successor of his in that Right, ever sat or voted in Parliament, neither has any offered to vote in Right of that Peerage at any Election, general or particular, since the Union.

R U T H E R F U R D.

XXII. THAT in the Records of the Great Seal, in the keeping of the Lord Register, *Anno 1661.* there appears a Patent, granting the Dignity of Lord *Rutherford* to *Andrew Rutherford*, and the Heirs Male of his Body, which failing, to whatsoever Person or Persons he should by any Writing under his Hand, even on Death-bed, appoint to succeed him. The Lord *Rutherford* appears by the Rolls of Parliament to have

have sat and voted in 1698, and *Robert Lord Rutherford* appears to have voted at the Election of sixteen Peers, *Anno 1715*, and in the Year 1733, at the Election of a Peer, in Room of the Earl of Sutherland then deceased, *George Dury of Grange* appeared, and voted as Lord *Rutherford*, without any Objection. At the general Election the Year following, 1734, the same Person claimed his Vote, but he was protested against by Captain *John Rutherford*, who laid Claim to the Honours of *Rutherford*, and gave into the Clerks his List in Virtue thereof; against which the said *George Dury* in his Turn protested; and in the Election *Anno 1738*, of a Peer to serve in Parliament, in the Room of the late Earl of *Mortoun*, these two Claimants renewed their Protestations against each other, and tendered severally their Votes; but whether any, or which of them has a sufficient Right to that Peerage, they cannot say.

NEWARK.

XXIII. THAT the Patent, creating *David Lesty Lord Newark*, appears in the Records of the Great Seal, in the keeping of the Lord Register, *Anno 1661*, limiting the Descent to the Heirs Male of his Body; it does not appear by the Rolls of Parliament, that any one has sat or voted under that Title since the Year 1690, neither has any one in Right of that Peerage offered a Vote at any Election since the Union; but whether it is extinct, by reason of Failure of Heirs Male of the Body of the Patentee, they cannot take upon them to say.

EYMOU TH.

XXIV. THAT by a Patent in the Records of the Great Seal in the Chancery Office, *Anno 1682*, the Dignity of Lord *Eymouth* is granted to *John Churchill*, afterwards Duke of *Marlborough*, and the Heirs Male of his Body: That the Limitation of this Peerage does not appear from the Records in Scotland to have been altered, so as to be made descendible in the same Channel with his other Honours; and if no Act

Act of the Crown, before the Union, or of the Parliament of Great Britain since, has interposed, that Title seems to be extinct, by the Failure of Heirs Male of the Body of the Patentee.

G L A S F O R D.

XXV. T H A T no Patent of the Honours of *Glasford* has been found on Record, excepting one in the Year 1685. in the Records of the Great Seal, in the Chancery Office, which grants that Dignity to *Francis Abercromby of Fettermier*, during all the Days of his Life: This Lord does not appear to have ever sat in Parliament, and if no different Patent has been obtained of this Title, from that which appears in the Records, it died with him.

Having, in these Observations, laid before your Lordships every Matter that has occurred to them on such Examination of the Records, as the Nature of the Work, the Condition of the Records, and the Course of the Business of the Court would permit, fit to create an Opinion, that the several Peerages, to which the Observations refer, may be either determined or conjoined in the same Person, with other Titles of Honour, in some Cases separable, in others not: or to show, that though the Titles may be subsisting, yet the Right thereto is controverted, they humbly certify to your Lordships, that they have not hitherto discovered from the Records any Reason to doubt, that all and every the other Peerages, in the Roll or List above ingrost, not mentioned in these Observations, are still subsisting and continuing; though Objections may lye against some of them, not hitherto discovered, and that no one, so far as they can discover, has hitherto controverted the Right of the present Possessors, by setting up a Claim to any of these Peerages.

But before they leave this Article, they must observe to your Lordships, that though the List of the Peers, first above described (a Copy whereof is in the Appendix, N. I.) was what the Clerks looked upon as of Authority, yet in copying over Rolls or Lists, to be made use of at several Elections since the Union, they

have added, but by what Authority does not appear, two Peerages, *viz.* that of the Earl of *Solway*, and that of the Lord *Dingual*. The Question concerning the last is of little Importance, because the Duke of *Ormonde*, who voted as Lord *Dingual*, by Proxy, at the Election of sixteen Peers, *Anno* 1710. stands attainted of High Treason, by an Act of the first Year of his late Majesty King *George* the First; but as to the first, they take it to be their Duty to state the Matter to your Lordships, so far as it appears to them; observing, that the Peerage of *Solway* does not stand in the before mentioned Roll or List, though it appears to have been interlined in some old Copies taken thereof, and entered between the Title of *Dellorain*, and that of *Islay*, in the Rolls that have been made use of at Elections since the Union: They made what Enquiry they were able, into the Cause why it did not stand in the so often mentioned Roll or List, and how it came afterwards to be added; and from that Enquiry an obvious Reason appears, why that Title was not entered on the Roll; to wit, that as the Patentee, because of his Nonage, was incapable to sit and vote, so neither had any one taken upon him to present his Patent in Parliament, which was usually done, and an Entry made in the Minutes of Parliament, of it's having been so done, before the Peerage was entered on the Rolls of Parliament; but as this was omitted to be done in the last Parliament of *Scotland*, they cannot discover by what Authority that Peerage has since the Union been added to the Roll of Peers; nevertheless, since it has been so added, they presume humbly to lay before your Lordships, what appears to them from the Records concerning it. The Patent appears in the Records of the Great Seal, *Anno* 1706. and grants the Honours of Earl of *Solway*, to Lord *Charles Douglas*, now Duke of *Queenberry*, and the Heirs Male of his Body; which failing, to Lord *George Douglas*, third Son of the late Duke of *Queenberry*, and the Heirs Male of his Body; which failing, to any other Son, to be begotten by the said late Duke of *Queenberry*, not succeeding to the Honours of *Queenberry*, and the Heirs Male of such Son's Body. Now as the last Patent of the Honours of the Dukedom of *Queenberry*, bearing the same Date with

with the Patent of *Solway*, viz. 17 June 1706. limits the Succession of the Dignity to the Heirs of the Tailzie of the Estate; and as by the Tailzie of the Estate, which is recorded in the Register of Tailzie, the Estate of *Queensberry* is limited to the present Duke, and the Heirs Male of his Body; which failing, to the said Lord *George Douglas*, and the Heirs Male of his Body; which also failing, to any other Son to be begotten of the said late Duke, and the Heirs Male of the Body of such Son; and as there is no Male Issue of the Body of the said Duke of *Queensberry* existing, except the present Duke, and his Sons, the Title of *Solway* can never subsist separate from that of *Queensberry*; but as they believe, that in certain Proceedings before your Lordships, in the Year 1720. the present Duke of *Queensberry* disclaimed the Peerage of *Solway*. They must humbly leave it with your Lordships, whether the Title of *Solway* is a subsisting Peerage at all; if it is subsisting, it would seem to be joined with that of *Queensberry*.

As to the other Part of your Lordships Order, which requires the Lords of Session to state in the Roll or List to be laid before your Lordships, the particular Limitations of the Peerages, so far as they shall be able; they must in Place of giving your Lordships the Satisfaction you expected, and that they wished to give, content themselves with laying before your Lordships the following Remarks; which will shew, not only that they are not able, but also why they are not able to answer your Lordships Expectation.

First then, They take the Liberty to remark, that they cannot discover in the Records any Patent of Honour creating a Peerage, earlier than the Reign of King *James the VIth*. Before that Time, Titles of Honour and Dignity were created by erecting Lands into Earldoms and Lordships, and probably by some other Method, that cannot now, in Matters so ancient, be with any Certainty discovered: For a great many noble Families appear, from the Rolls of Parliament, to have sat and voted in Parliament, as Lords of Parliament, though no Constitution of the Peerage, or Title of Honour under which they sat, can be now found in the Records: But as the Constitutions in most

ancient Cases do not appear, and the chief Evidence of the Title's being hereditary, is the Successor's regularly possessing the Predecessor's Rank in Parliament; it is not possible, without hearing the Allegations that may be made, and examining the Evidence that may be brought by contending Parties, to form any Judgment of the Limitations of such ancient Peerages. As there is not, so far as they know, any Maxim hitherto established in the Law of *Scotland*, that can be applied universally to determine the Descent of Peerages, where the original Constitution, or new Grants upon Resignation do not appear; and of the Difficulty that occurs in settling such Questions, they lately had an Instance in the Case of the Peerage of the Lord *Fraser* of *Lo-vat*, which is undoubtedly subsisting; the last Lord who sat in the Parliament 1695, dying without Male Issue, his eldest Daughter, and after her Death, her eldest Son assumed the Title, having obtained before the Court of Session, in Absence of the Heir Male, a Decree, declaring their Right thereto; and on the other Hand, his nearest Heir Male claimed it, insisting that the Honours were descendible to Heirs Male, and brought his Action before the Court of Session, to have it so found and declared, and to reduce and set aside the foreaid Judgment by Default: The Court where Actions of the same Kind had been thought competent, and as such sustained before the Union, proceeded to hear the Cause; and the Parties having produced of either Side all the Documents they could, and having been fully heard thereon, the Court reduced and set aside the foreaid Decree in Absence, and found the Title in Question descendible to Heirs Male, and the Defender has hitherto acquiesced. But whether this Judgment is of sufficient Authority, they humbly submit to your Lordships; having made mention of it chiefly to shew, that though when the Parties interested join issue, and furnish all the Light in their Power towards the Determination of the Cause, the Court must give their Opinion; yet, where no Party that may be interested is bound to appear, and to produce or point out in the Records, so far as may be found there, the Documents that are necessary to instruct their Claim, it is next to impossible for any Court, or indeed for human Industry,

Industry, to make up a State of the Interests of so many Persons as fall under this Observation, with any tolerable Certainty.

Secondly, They presume humbly to inform your Lordships, that through various Accidents, the State of their Records, particularly of their most ancient, is imperfect; for not to mention other Misfortunes, it appears by an Examination, to be found amongst the Records of Parliament, 11th January 1661, that as the Registers which had been carried to *England*, during the Usurpation of *Cromwel*, were bringing back from *London* after the Restoration by Sea, eighty-five Hogsheads were, in a Storm, shifted out of the Frigate the *Eagle*, into another Vessel, which sunk with those Records at Sea; and ten Hogsheads more of the Records, brought down from *London* at that Time, lye still unopened in the general Register-House, through some Neglect of the Officers, to whose Charge they were committed, that cannot well be accounted for; so that upon this separate Account, your Lordships will perceive a Search into the ancient Records cannot give reasonable Satisfaction.

Thirdly, After the Practice of creating Peerages by Patent, the Records, till of late, have been so carelessly kept, that they cannot be absolutely depended upon; Patents of Honours have passed the Great Seal, and yet Copies of the Patents so passed, are not to be met with in the Register of that Seal; and of this the Patents of the Lord *Forrester*, Anno 1651, and of the Earl of *Broadalbin*, 1682, are Instances; the first of these was duly sealed in the Year 1651, but not entered in the Register till the Year 1684; and the last was duly sealed in the Year 1682, but to this Hour is not entered into the Register; besides that, of Volume fifty seven, of the Register of the Great Seal, in the keeping of the Lord Keeper, twelve Leaves are lost, by some Accident now unknown; and it appears from the Minute-book, that the Patent of *Bargeny*, and several others, were past at such Time; that they probably may have been entered in some of those Leaves that are lost.

Fourthly, They presume humbly to inform your Lordships, that it was a Practice very prevalent in *Scotland*, for Peers to make a Relignation or Surrender of their

their Honours, whether originally created by Patent, or by the more ancient Methods, into the Hands of the Sovereign for new Grants of those Honours, to such a Series of Heirs, as they intended for their Successors; and the new Grants passed sometimes in the Form of Parents of Honour only, and sometimes in the Form of Charters of the Estates, containing a new Grant and Limitation of the Honours. Now, where this last was the Case, it must be attended with very great Labour and Expence of Time, to search for the Titles of Honour amongst all the Charters of Lands.

Fifthly, The Practice of *Scotland* went still further; and it was usual to obtain Grants of Honours, not only to the Grantee and his Heirs Male, and of Tailzie referring to the particular Entail then made, but also to his Heirs of Tailzie, whom he might thereafter appoint to succeed to him in his Estate, and even to any Person whom he should name to succeed him in his Honours at any Time in his Life, or upon Death-bed: Now, as it is impossible to trace through the Records such Nominations and Appointment, which in some Cases may be valid, though not hitherto recorded, your Lordships will easily see, that the Lords of Salfion are not able to give your Lordships any reasonable Satisfaction, touching the Limitations of the Peerages that are still continuing: And your Lordships will further perceive the Reason why, in the foregoing Observations, they speak so doubtfully of the Continuance of Peerages, which, were they to judge only on what appears from the Examination they have had of the Records, they should not doubt to report to be extinct, or so conjoined with other Titles of Honour, as not to be again separable.

All which is most humbly submitted,

EDINBURGH,
27th Feb. 1740.

DUN. FORBES, I. P. D.

APPENDIX.

APPENDIX.

NUMB. I.

ROLL of the PEERS of Scotland Parliament, 1706.

DUKES.	EARLS.	EARLS.
HAMILTON, Buccleugh,	Nithsdale, Winton,	Northeast, Kincardine,
Lennox,	Lynlithgow,	Belcarres,
Gordon,	Hume,	Forfar,
Queensberry,	Perth,	Aboyne,
Argyle,	Wigtoun,	Newburgh,
Douglas,	Strathmore,	Kilmarnock,
Athole,	Abercorn,	Dundonald,
Montrose,	Kelly,	Dunbarton,
Roxburgh.	Haddington,	Kintoir,
MARQUISSES.	Gallaway,	Broadalbin,
Tweedale,	Lauderdale,	Aberdeen,
Lothian,	Seaforth,	Dunmore,
Annandale.	Kinnoul,	Melvil,
EARLS.	Loudon,	Orkney,
Craufurd,	Dumfries,	Ruglen,
Erroll,	Stirling,	March,
Marishal,	Elgin,	Marchmount,
Sutherland,	Southesk,	Seafield,
Mar,	Traquair,	Hyndford,
Monteith,	Ancrum,	Cromarty,
Rothes,	Weyns,	Stair,
Mortoun,	Dalhousie,	Roseberry,
Buchan,	Airly,	Glasgow,
Glencairn,	Findlater,	Portmore,
Eglintoun,	Carnwath,	Bute,
Cassis,	Callender,	Hoproun,
Caithness,	Leven,	Deloraine,
Murray,	Dysert,	Ilay.

VISCOUNTS.	LORDS.	LORDS.
Falkland,	Catcart,	Reay,
Dunbar,	Sinclair,	Forrester,
Stormont,	Mordington,	Pitligo,
Kentmure,	Semple,	Kirkcudbright,
Arbuthnot,	Elphinston,	Fraser,
Kingston,	Oliphan,	Bargeny,
Oxford,	Fraser of Lovat,	Bamff,
Irvine,	Borthwick,	Elibank,
Kilsyth.	Rois,	Halkertoun,
Dumblain,	Torphichen,	Belhaven,
Presttoun,	Spynie,	Abercrombie,
Newhaven,	Lundoirs,	Duffus,
Strathallon,	Balmerinoch,	Rollo,
Tevior,	Blantyre,	Colvil,
Duplin,	Cardrofs,	Ruthven,
Garnock,	Cranftoun,	Rutherford,
Primerose.	Burleigh,	Bellenden,
	Jedburgh,	Newark,
LORDS.	Maderzie,	Eymouth,
Forbes,	Couper,	Kinnaird,
Saltoun,	Napier,	Glasford.
Gray,	Cameron,	
Ochiltree,	Cramond,	

APPENDIX.

NUMB. II.

COPIES of the WORDS of Limitation in the
several Patents referred to.

COMITES.

MONTEITH.

Willielmus Comes Taichie lie Monteith.

Ult^{mo} Julii,
1631.

CAROLUS, &c. Volumus & concedimus Quod
praeftus Willielmus Comes Taichie Hæredesque
fui Masculi & Tallia Comitatus Taichie Comites Jer-
nie & Taichie lie Strathern & Monteith omni tempore
a futuro appellantur & vocentur.

Dominus,

Dominus Robertus Ker de Ancrame Miles.

C A R O L U S, &c. Fecisse, constituisse, & creasse, dictum Dominum Robertum Comitem de Ancrame, nobis tamen ita visum est, ut dictus Titulus, &c. immediate post ipsum, ad Hæredes Mæsculos inter eum & Dominam Annam Stanley unicam Willielmi Comitis de Derbie Filiam immediate descendet; verum si Deo visum fuerit, quod Hæredes Mæsculi dicti Domini Roberti suæque Conjugis absque Hæredibus Mæsculis de eorum Corporibus procreand' decesserint, tunc, et in eo Casu, dictus Titulus ad alios Hæredes Mæsculos dicti Domini Roberti Ker, eorumque Hæredes Mæsculos, in perpetuum descendet.

24^{to} Junii,
1633.

F O R F A R.

Archibaldus Douglas Filius legitimus natu maximus inter Demortuum Archibaldum Angulæ Comitem, & Dominam Jeannam Weyms Procreat'.

C A R O L U S, &c. Fecisse, constituisse, & creasse, memoratum Dynastum Archibaldum Douglas, ejusque Hæredes Mæsculos, Comitem de Forfar.

24^{to} Octobris,
1661.

D U M B A R T O N.

Dynasta Georgius Douglas Filius natu tertius Demortui Gulielmi Marchionis de Douglas.

C A R O L U S, &c. Fecisse, dict' Georgium, & 9^{to} Martii, Hæredes Mæsculos, ex Corpore suo, Comites de Dumbarton.

1675.

M E L V I L L.

Georgius Dominus Melvill.

G U L I E L M U S & Maria, &c. Nominasse, fecisse, constituisse, & creasse eundem Georgium Dominum Melvill Comitem, &c. Comitem de Melvill, &c. designandum; Datum porro, concedimus, & conferimus,

serimus, in dict' Georgium Dominum Melvill, & Hæredes Masculos de ejus Corpore, in perpetuum antedictum Titulum Comitis, &c.

8vo Aprilis, 1690.

Dominus Joannes Hamilton Filius nuperi Ducis de Hamilton.

14th Aprilis, 1697.

GULIELMUS, &c. Nominasse, fecisse, constituisse, & creasse eundem Dominum Joannem Hamilton Comitem, &c. Comitem de Ruglen designandum; Damus porro, conferimus in dictum Dominum Joannem Hamilton, & Hæredes Masculos de ejus Corpore, quibus deficien', Hæredes de ejus Corpore quo cunque antedictum Titulum, &c. Comitis.

Dominus Carolus Hamilton Filius legitimus ordine nascendi secundus Gulielmi Duci de Hamilton.

JACOBUS, &c. Fecisse, constituisse, & creasse memoratum Dominum Carolum Hamilton Comitem de Selkirk, &c. Ac damus, concedimus, & conferimus in eundem Dominum Carolum Hamilton, & Hæredes Masculos ex ejus Corpore; quibus deficien', in Dominum Joannem Hamilton, Filium legitimum natu tertium Gulielmi Duci de Hamilton, & Hæredes Masculos ex ejus Corpore legitime procreand'; quibus deficien', in Dominum Georgium Hamilton, ejus Filium legitimum natu quartum, & Hæredes Masculos ex ejus Corpore legitime procreand'; quibus deficien', in Dominum Basilum Hamilton, Filium legitimum dict' Duci natu quintum, & Hæredes Masculos ex ejus Corpore legitime procreand'; quibus deficien', Dominum Archibaldum Hamilton, Filium ejus sextum & natu minimum, & Hæredes Masculos ex ejus Corpore legitime procreand'; quibus omnibus deficien', in alias Hæredes Masculos dicti Duci de Hamilton, & in Literis suis Patentibus contentis, antedictum Honoris & Dignatis Titulum Comitis de Selkirk, &c.

*6th Octo-
ber, 1688.*

SEA

SEAFIELD.

Jacobus Vicecomes de Seafield.

GULIELMUS, &c. Fecisse, constituisse, & creasse eundem Jacobum, & Hæredes Masculos de ejus Corpore; quibus deficien', alias Hæredes Talliæ sibi in Terris suis Baroniis, & Statu succedend', Comites 24th Junij, 1701.

Jacobus Dominus Deskfoord.

CAROLUS, &c. Fecisse, constituisse, creasse, & inauguraſſe præfatum Jacobum Dominum Deskfoord, Comitem de Findlater, & dedimus & concessimus diꝝ Domino Deskfoord ſuifque heredibus Masculis de Corpore ſuo legitime procreat' iſpi in Patrimonio, & Statu de Findlater & Deskfoord ſuccedend' Titulum, &c. Comitis. 20th Februario, 1638

Dominus Carolus Douglas, Filius secundus Ducis de Queensberry.

ANNA, &c. Fecisse, constituisse & creasse dictum Carolum, & Hæredes Masculos de ſuo Corpore; quibus deficien', Dominum Georgium Douglas Filium legitimum natu tertium dict' Ducis de Queenberry, ejusque Hæredes Masculos de ſuo Corpore, quibus deficien', Filium legitimum natu juniores procreat' ſeu procreand' de Corpore dict' Ducis, Dignitati & Statui de Queenberry non ſuccedend', & Hæredes Masculos de ejus Corpore, Comites de Solway. 17th Junij, 1706.

OXFORD.

Dominus Jacobus M^c Gill de Cranston M^c Gill Miles Baronettus. VICECOMITES.

CAROLUS, &c. Fecisse, constituisse, & creasse, dictum Dominum Jacobum M^c Gill de Cranston M^c Gill Militem Baronettum, ejusque Hæredes Masculos Talliæ & Provisionis quoſcumque, Vicecomites de Oxford, & Dominos M^c Gill de Couſland. 19th Aprilis, 1651.

TEVIOT.

T E V I O T.

Dominus Thomas Livingston, Miles.

GULIELMUS, &c. Fecisse eundem majorem generalem Dominum Thomam Livingston, & Hæredes Masculos legitime procreatos seu procreandos de suo Corpore, Vicecomites de Teviot.

Thomas Hay de Dalhousie.

GULIELMUS, &c. Nominasse, fecisse, constituisse, & creasse præfatum Thomam Hay de Dalhousie Vicecomitem de Duplin, nuncupan' inque eundem Dominum Thomam Hay, & Hæredes Masculos de Corpore ejus legitime procreat' quibus deficien' Hæredes ejus Talliæ, Titulum Vicecomitis damus, &c.

Gulielmus Comes de Kinnoul, & Thomas Vicecomes de Duplin.

ANNA, &c. deditte & concessisse prædict' Gulielmo Comiti de Kinnoul, durante ejus Vita, & quo per decessum deficiente prædicto Thomæ Vicecomiti de Duplin, & Hæredibus Masculis legitime de Corpore suo procreat' vel procreand', quibus deficien' Hæredibus suis Talliæ & provisionis illi in terris & Baronia de Duplin succendentibus, antedictum Titulum, &c. Comitis de Kinnoul, Vicecomitis de Duplin, &c. & voluntus & declaramus quod hoc præsens Diploma nullo modo præjudicabit Diplomati, per quondam nostrum Fratrem Gulielmum Regem beatæ Memoriae, prædict' Thomæ Vicecomiti de Duplin, concessio de Titulo & Honore Vicecomitis data.

J E D B U R G H.

Robertus Ker de Fernherst.

CAROLUS, &c. creamus, facimus, & constituimus prænominatum Robertum Ker de Fernherst, Dominum de Jedburgh, ac damus & concedimus ei & Hæredibus Masculis ex ejus Corpore, quibus deficien' Willielmo

ielmo Magistro de Newbottle, & Hæredibus Masculis ex ejus Corpore, quibus deficien' dict' Magistri de Newbottle Hæredibus Masculis quibusunque Titulum, Honorem, Ordinem, & Dignitatem Domini de Jedburgh, &c. cum præcedentia & ordine Andree Domini de Jedburgh secundum Literas Patentes dat' 2^{do} Februarii, 1622.

23^{mo} Julii,
1670.

C O U P A R.

Jacobus Dominus de Coupar.

JACOBUS, &c. Sciatis nos dedisse, concessisse, & disposuisse Jacobo Elphinstone, Filio Legitimo nostri Consiliarii Jacobi Domini de Balmerinoch nostri Secretarii ac Præsidentis nostri Collegii Justitiae, inter illum & Dominam Marjoram Maxwel ejus Sponsam legitime procreat' suisque Hæredibus Masculis de Corpore suo legitime procreandis, quibus deficientibus præfato Jacobo Domino de Balmerinoch ejus Patri, suisque Hæredibus Masculis & Talliæ in suo Infeofamento Terrarum, & Baroniarum de Balumbie contentis, hæreditarie; omnes & singulas Terras, Baronias, Molendina, &c. & nos erexitus, creavimus, & incorporavimus omnes prædictas Terras, &c. in unum liberum Temporale Dominium & Baroniam, præfato Jacobo Elphinstone, suisque Hæredibus Masculis & Talliæ, prædict' Dominium & Baroniam de Coupar nuncupan' dando & concedendo dicto Jacobo suisque Hæredibus Masculis prædictis, Titulum, &c. unicis liberi Baronis, ac nostri Parliamenti Domini, omni Tempore a futuro Dominos de Coupar nuncupandos.

20^{mo} De-
cembris,
1607.

C R A M O N D.

Elizabetha Domina Richardson, & Dominus Thomas Richardson, Miles, ejus Filius.

CAROLUS, &c. Fecisse, creasse, & constituisse Elizabetham Dominam Richardson, Conjugam Domini Thomæ Richardson, Militis, Justiciarii principalis in Foro Causarum communi in Palatio Westmonasteriensi, pro toto Tempore Vitæ suæ, Baroniam de Cramond, ac post illius Decessum, creamus perque Modum Succes-

Successionis, Dominum Thomam Richardson Militem, Filium & Hæredem dicti principalis justiciarii, Dominum Baronem de Cramond. Dando, &c. eidem post Decessum dicti Dominæ, suisque Hæredibus Masculis quibus deficien' Hæredibus Masculis de Corpore dicti Domini Thomæ Richardson patris post Decessum præfat' Dominæ, Titulum, &c. Baronum Parliamenti, tenend' & habend' præfat' Titulum Domini Baronis de Cramond, post Decessum præfat' Dominæ, cum Suffragio in Parlimento, dummodo personaliter præsentes fuerint, & non aliter.

U^mo Febru-
arii, 1628.

K I R K C U D B R I G H T.

Dominus Robertus M^c Clellan, Miles.

CAROLUS, &c. Fecisse, creasse, & constituisse dictum Dominum Robertum M^c Clellan, Dominum de Kirkcudbright; dand' & concedend' sibi, suisque Hæredibus Masculis, Cognomen & Arma dicti Domini Roberti gerent' Titulum Domini; quo quidem Titulo, &c. Domini de Kirkcudbright, nos investivimus dictum Dominum Robertum Hæredesque suos Masculos antedicti.

25th Junii,
1633.

A B E R C R O M B I E.

Dominus Jacobus Sandilands de St. Monance, Miles.

CAROLUS, &c. Deditse, concessisse, & disposuisse, Memorato Domino Jacobo Sandilands, ejusque Hæredibus Masculis ex Corpore suo legitime procreat' seu procreand' Titulum, &c. Domini; ac damus, &c. quod ille ejusque Hæredes & Successores predicti indignitabuntur & nominabuntur Domini de Abercrombie, omni Tempore futuro.

22^{mo} De-
cembri,
1647.

R U T H E R F U R D.

Andreas Rutherford, Legatus Generalis.

CAROLUS, &c. Fecisse, nominasse, & creasse, Dominum Rutherford de vix. ipsum
Andreas

Andream ejusque Hæredes Masculos ex Corpore suo
legitime procreatos seu procreandos, quibus defientibus,
quancunque aliam Personam seu Personas quas sibi
quoad vixerit, quinetiam, in Articulo Mortis ad ei suc-
cedendum, ac fore ejus Hæredes Tallize & Provisionis
in eadem Dignitate nominare & designare placuerit, se-
cundum Nominationem & Designationem Manu ejus
subscribendam, subsque Provisionibus, Restrictionibus,
& Conditionibus, a dict' Andrea pro ejus Arbitrio in
dicta Designatione exprimendis: Ac dedisse & conces-
sisse Tenoreque Presentium dare, &c. ei ejusque ante-
dict' dictum Titulum, Honorem, Dignitatem, & Gra-
dum Domini Parliamenti, ut ita omni Tempore futuro
vocitentur & denominentur, cum Potestate sibi suique
antedict' denominandi & designandi semetipsos Dominos
Rutherford de
eadem dignitate, &c.

19th Janu-
ary, 1661.

NEWARK.

David Leslie, Legatus Generalis.

CAROLUS, &c. Fecisse, constituisse & creasse
dict' Legatum nostrum Generalem Davidem Lelly,
& hæredes Masculos ex Corpore suo legitime procreat'
Dominum de Newark; ac dedimus & concessimus Me-
morato Legato nostro Generali ejusque prædict' ante-
dictum Titulum, ut Domini de New-wark omni Tem-
pore futuro denominentur & designentur.

Ult^{mo} Au-
gusti, 1601.

A Y M O U T H.

Johannes Churchill, Militum Tribunus.

CAROLUS, &c. Nominasse, fecisse, constituisse
& creasse, præfatum Joannem Churchill de Ay-
mouth omni Tempore futuro designandum; dando &
elargiendo dicto Joanni Churchill hæredibusque Masculis
ex suo Corpore procreatis vel procreandis, prædictum
Titulum, &c. ut prædictetur.

21^{mo} De-
cembris,
1681.

GLAS-

G L A S F O O R D.

Franciscus Abercrombie de Fetterneir.

JACOBUS, &c. Nominasse, creasse, & inaugu-
rasse præfatum Franciscum Abercrombie de Fetter-
neir (omnimodo assumentem Cognomen de Sempill ac
in signia Gentilitia ejusdem gerentem) Liberum Domi-
num, Dominum Glasfoord denominand', duran' omni-
bus sue Vitæ Diebus.

Address of
the House of
Commons
for having
the Freedom
of our Navi-
gation ex-
prely ac-
knowledg-
ed.

On the 21st of November, Sir William Wyndham stood up, and after a short Speech upon the Importance of our Trade to America, the Necessity of having the Freedom of our Navigation in those Seas expressly acknowledged, and the Ignorance, Neglect, or Pusillanimity of our Ministers concerned in the long tedious Negotiations that preceded the War, he moved, to resolve, ' That an humble Address be presented to his Majesty, as a dutiful Return to his gracious Desire of the Advice, of his Parliament at this critical and important Conjuncture, and as a further Testimony of our firm Resolution vigorously to support his Majesty in the Prosecution of the War against Spain, humbly to beseech his Majesty never to admit of any Treaty of Peace with that Crown, unless the Acknowledgment of our natural and indubitable Right to navigate in the American Seas to and from any Part of his Majesty's Dominions, without being seized, searched, visited or stopped, under any Pretence whatsoever, shall have been first obtained as a Preliminary thereto.'

The Lords
concur in
this Message.

Upon this Occasion there were several Gentlemen spoke for and against the Conduct of our Negotiators and Ministers, but the Motion itself being acknowledged to be right, by every Gentleman that spoke upon the Subject, it was agreed to *Nemine Contradicente*. After which Sir William rose up again, and moved, that the said Resolution might be communicated to the Lords, and their Concurrence desired thereto, which was likewise agreed to. The said Resolution was accordingly the same Day communicated to, and left with the Lords; and next Day, the Lords acquainted them, at another Confe-

Conference, That they had taken the said Resolution into their Consideration, and having agreed thereto, had filled up the Blank with—*the Lords Spiritual and Temporal*. The Address being thus agreed to by both Houses, the Lords, as usual upon such Occasions, appointed some Lords of their House, to know his Majesty's Pleasure, when he would be attended by both Houses with their said Address; and on the 23d they acquainted the Commons, by Message, that his Majesty had appointed to be attended with the Address of both Houses of Parliament at two o'Clock that Day, at his Palace of St. James's, and that the Lords intended to be there at that Time. Accordingly at two o'Clock both Houses went to St. James's with their said Address, which was attended by almost all the Members of each House, of whatever Denomination or Party, so that there was a greater Concourse of Nobility and Gentry at Court than had been seen for many Years upon any Occasion whatever. And his Majesty returned the following Answer, *viz.*

My Lords and Gentlemen,

I thank you for this dutiful Address, which is so agreeable to former Resolutions of both Houses of Parliament. Your unanimous and vigorous Support in carrying on the War, will be the best Means of procuring safe and honourable Terms of Peace; and you may rely on my utmost Care and Endeavour, to obtain effectual Security for the just Rights of Navigation and Commerce belonging to my Subjects.

On Tuesday the 27th of November, Samuel Sandys, Esq; moved, ‘ To resolve, That an humble Address be presented to his Majesty, humbly to lay before him, as the Advice of this House, that he would be pleased to give Directions, that the Body of Marines intended to be raised, may be done in the most frugal Manner, and put upon the least expensive Establishment, by having as many private Men and as few Officers as the Nature of the Service will admit; Economy at first setting out, being absolutely necessary to enable us to support his Majesty in the vigorous Prosecution of this War; and as Draughts from the present Regiments of Foot, which are all equally proper to be employed, ei-

Motion for
raising Ma-
rines in the
most frugal
Manner.

' ther by Land or Sea, will be attended with the least Expence, as well as be most expeditious for any immediate Service, humbly to recommend that Method to his Majesty, in tender Compassion to his People already burthened with many heavy and grievous Taxes; and to assure his Majesty, whenever he shall judge it necessary to increase the Corps, from whence such Draughts are made, that his faithful Commons will most readily enable him to do it; being fully convinced that their Safety, and all that is dear to them, consist in the Preservation of his Majesty and the Protestant Succession.'

This Motion being seconded by *Philip Gybbon, Esq;* there ensued a long Debate, in which the chief Speakers for the Motion, besides the said two Gentlemen, were, the Lord *Polwarth*, *William Pitt, Esq*, *George Lyttleton, Esq*; *Edmund Waller, Esq*; and *William Pulteney, Esq*; and the chief Speakers against it were, Sir *William Yonge, Thomas Winnington, Esq*; *Henry Fox, Esq*; *Joseph Danvers, Esq*; and Sir *Robert Walpole*. The chief Argument in the Debate turned upon this Question, whether we could spare any of the regular disciplined Troops we had then on Foot, and if the fending them out of the Kingdom to serve as Marines Abroad, would not expose us to Insurrections or Invasions at Home. Those who were against the Motion insisted, that if the keeping up of 30,000 Men in *Britain* and *Ireland* was necessary in Time of Peace, it was much more necessary in Time of War; and that therefore it would be very imprudent to raise the Marines we had Occasion for, by Draughts from the Regiments of Foot then upon the Establishment. To this it was replied, That the chief Argument always made Use of for keeping up such a Body of Troops in Time of Peace was, That we might be in a Condition to furnish our stipulated Quota of Troops to any of our Allies that should have Occasion for them, and as we then had no Allies, as had been confessed in the preceding Session, or if we had any, we had more need to call for their Assistance than any of them had to call for ours, therefore we might now employ that Number of Troops as Marines, which we kept up for no other Reason but to enable us, in Time of Need, to furnish our Quota to our Allies. However,

upon

upon the Question's being put, it passed in the Negative
177 Noes, 95 Yeas.

Thursday November 29th, Sir William Wyndham
moved, ‘ To resolve, That an humble Address be pre-
sented to his Majesty, that he will be graciously pleased
to give Directions, that there be laid before this House,
Copies or Extracts of such Memorials or Representa-
tions, as have been made either to the King of Spain
or his Ministers, from the Treaty of Seville to the 9th
of March 1738, relating to any Losses sustained by
his Majesty's Subjects by Depredations committed by
the Spaniards in Europe or America, which have not
already been laid before this House.’

Which Motion being seconded, there ensued a De-
bate; and upon the Question's being put, it was carried
in the Negative 172 Yeas, 98 Noes.

As soon as the Division upon this Question was over,
William Pulteney, Esq; stood up and moved, ‘ To re-
solve, That an humble Address be presented to his
Majesty, that he will be graciously pleased to give Di-
rections, that there be laid before this House, Copies
or Extracts of all Letters written and Instructions given
by the Secretaries of State, or Commissioners for exe-
cuting the Office of Lord High Admiral of Great-
Britain, to any of the Governors of the British Plan-
tations in America, or any Commander in Chief or
Captains of his Majesty's Ships of War, or his Ma-
jesty's Minister in Spain, and Consuls in Europe, from
the Treaty of Seville to the 1st of January 1738, re-
lating to any Losses sustained by his Majesty's Subjects
by Depredations committed by the Spaniards in Europe
or America, which have not already been laid before
this House.’

This Motion being seconded, there arose a new De-
bate, and upon putting the Question, it passed in the
Negative without a Division.

And as soon as this was over, *Edmund Waller, Esq;*
stood up, and moved, ‘ To resolve, That an humble
Address be presented to his Majesty, that he will be
graciously pleased to give Directions, that there be laid
before this House, Copies of all the Instructions and
Letters sent to Mr. Keene by his Majesty's Ministers,
authorizing him to conclude and sign the Convention
between

Three sever-
al Motions
for Papers
relating to
our Disputes
with Spa n.

* between his Majesty and the King of Spain on the 14th
of January, 1739, N. S.'

In this Motion he was seconded by *Samuel Sandys*, Esq; and upon this likewise there was a Debate ; but it had the same Fate with the former, for upon the Question's being put, it was carried in the Negative without a Division.

The chief Speakers for and against these Motions, or one of them, were as follow, *viz.*

For	Against
Sir <i>William Wyndham</i> .	Sir <i>William Yonge</i> .
The Lord <i>Polwarth</i> .	<i>Horatio Walpole</i> , Esq;
<i>William Pulteney</i> , Esq;	The Lord <i>Baltimore</i> .
<i>Edmund Waller</i> , Esq;	<i>Robert Tracey</i> , Esq;
Mr. Alderman <i>Heathcote</i> .	Sir <i>Robert Walpole</i> .
Sir <i>John Barnard</i> .	<i>Joseph Danvers</i> , Esq;
<i>Samuel Sandys</i> , Esq;	
George <i>Lyttleton</i> , Esq;	

The chief Argument for these Motions was, That if the House had a Mind either to inquire into the Conduct of past Measures, which the whole Nation expected ; or to give his Majesty any Advice, as he had desired, about the Conduct of our future Measures, which the Importance of the present Conjunction seemed to require, and which our late Conduct seemed to have rendered necessary, it was proper, and even necessary for them to see the Papers moved for. And the chief Argument against every one of these Motions was, That as it was not to be supposed, that the Contents of any Paper laid before that House could be long concealed, and as it was most certainly to be supposed, that some of the Papers moved for, by each Motion, contained Secrets, the Discovery of which would be of infinite Prejudice to the Nation, it was evident that his Majesty could not comply with any of the Addresses proposed ; and therefore it would be wrong in them to present any such. To this it was replied, That they were not to suppose, that any Papers they stood in Need of for their Information contained Secrets which could not be discovered without Danger to the State : That, considering our Inactivity, since the War began, they could not suppose, that any Papers

Papers contained Secrets, the Discovery of which would be dangerous to the Nation, though the Discovery might perhaps be of dangerous Consequence to some of our Ministers; but supposing some of the Papers contained Secrets that ought not to be discovered, they were not to take such an Answer from any Member of that House, or from any Servant of the Crown: It was from the King only they could take such an Answer; and if the King returned such an Answer to all or any of the Addresses proposed, the House was then to consider, whether they were to desist from asking for such Papers, or if they were to appoint a secret Committee, and insist upon their being laid before that Committee.

The House, upon the 20th of November, ordered to be laid before them a List of the Regimental and Warrant Officers who were to be in Half-pay for the Year 1740, which was a Sort of Motion of Course, and therefore little attended to; but what made this Affair remarkable was, the Motions that followed, for on the 29th of November, it was moved, and resolved, ' That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions, that there may be added to the List of the Regimental and Warrant Officers, who are to be in Half-pay for the Year 1740, (which, his Majesty has said, he will give Directions to be laid before this House) the Ages of the several Persons contained in the said List, together with the Dates of their first Commissions in the Army, and the Times when they were first put upon Half-pay, and the Occasion thereof.'

Lists of Officers moved for.

Next Day it was moved and resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions, that there be laid before this House, a List of such Commission and Warrant Officers as are now on the Half-pay in the Navy, together with an Account of their respective Ages; and the Dates of the first Commissions of such of them as are Captains and Lieutenants. And on the 20th of December it was moved and resolved, ' That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions, that there may be laid before this House, 1st, a List of the Colonels, Lieutenant-Colonels, Majors, Captains, Lieutenants and Ensigns of his Majesty's Forces on the British Establishment,

blishment, with the Dates of their several Commissions, as such, and also the Dates of the first Commissions, which such Colonels, Lieutenant-Colonels, Majors, Captains and Lieutenants had in the Army?

And 2d, 'A List of the Colonels, Lieutenant-Colonels, Majors, Captains, Lieutenants and Ensigns of his Majesty's Forces on the *Irish* Establishment, with the Dates of their several Commissions, as such, and also the Dates of the first Commissions, which such Colonels, Lieutenant-Colonels, Majors, Captains and Lieutenants had in the Army.'

On the 14th of *December*, the List called for on the 30th of *November*, was presented to the House; and on the 1st of *February*, the Lists called for on the 20th and 29th of *November*, was presented to the House; but the two Lists called for on the 20th of *December* were not presented till the 11th of *April*; so that there were no further Proceedings in this Affair during this Session of Parliament. However, the House having ordered the List presented the first of *February*, together with the List of the reduced Officers of his Majesty's Land Forces and Marines, intituled to receive Half-pay in *Great-Britain*, with an Estimate of the Charge thereof for the Year 1739, (which was presented to the House the 22d Day of *February* 1738,) and also the said two Lists presented on the 11th of *April*, to be printed; and the said Lists thereby coming into the Hands of the Publick, it occasioned several Speculations without Doors.

Call of the
House mov-
ed and op-
posed.

As something pretty extraordinary happened this Session relating to the Call of the House, I think myself obliged to give an Account of it as follows. On *Tuesday December* 18th, *Philip Gybon*, Esq; stood up and moved, that the House should be called over upon *Wednesday* the 16th of *January* then next, which was a Sort of Motion that had usually been agreed to of Course; but upon this Occasion, *Edward Thompson*, Esq; stood up and spoke against it, and upon the Question's being put, it passed in the Negative, 113 Noes to 82 Yeas, which was the more surprising, because it was the first Time a Negative had been put upon such a Question in the Beginning of a Session, and because the Motion for limiting the Number of Officers and Plate-men having Seats in the House of Commons, mentioned before * was

* Page 106.

expected

expected to be brought on soon after the *Christmas* recess, which was a Question of such Importance that it deserved to be considered in as full a House as possible. However, by this Negative that Question came to be considered before the House was so much as once called over; and the next Day after that Question had been determined, *viz.* on *Thursday* the 31st of *January*, *William Pulteney*, Esq; stood up and took Notice, that though the Question relating to Officers and Place-men was over, yet there were many other Questions of great Importance, which might be brought before the House in that Session of Parliament; and therefore, notwithstanding the bad Success the Motion for a Call had before met with, he would venture to move, that the House should be called over upon that Day *three Weeks*, the 21st Day of *February* then next. This occasioned some Debate, but upon the Question's being put, the Motion was agreed to without a Division, and it was ordered as usual, that such Members as should not then attend should be sent for in Custody of the Serjeant at Arms attending the House.

Wednesday February the 6th, a Motion was made in the House of Commons, by the Lord *Polwarth*, now Earl of *Marchmont*, That an Account should be laid before the House of what Ships had been contracted for to be built in Merchants Yards, or bought by the Commissioners of the Navy, for his Majesty's Service, from *Christmas* 1738, to *Christmas* 1739, and by what Authority, distinguishing the Prices of each Ship, and what had been, or was proposed to be laid out upon any of them, to fit them for the Service, for which they were intended. This Motion being seconded by *Samuel Sandys*, Esq; it occasioned a long Debate, but at last upon the Question's being put, it passed in the Negative.

Motion for
an Account
of Ships
lately built
or bought
for publick
Service.

On *Wednesday* the 20th of *February*, the House of Commons was moved, 'That the Account of what Payments the Treasurers of the Navy have made, for seven Years last past, by Extra-Orders to them, from the Commissioners for executing the Office of Treasurer of the Exchequer might be read:

Motion for
vacating Mr
Corbet's Sea
in Parlia-
ment.

' And the same was read accordingly.
' The House was also moved, that Part of the Account of what Orders have been made for new erect-

ed Employments, between *Christmas 1727 and Christmas 1739*, and for multiplying Officers or increasing of Salaries or other Allowances relating to the Victualling of his Majesty's Navy, with the Reasons for granting the said Orders (which Part of the Account relates to a Salary of two Hundred *per Annum*, out of Money arising from the Sale of old Provisions and Stores, to *Thomas Corbett, Esq;* as Secretary to the Court of Assistants for Relief of the poor Widows of Sea-Officers, allowed to him by his Majesty's Royal Sign Manual, dated the 14th *August 1739*, and the Reason for the said Allowance,) might be read:

‘ And that Part of the Account was read accordingly.

‘ Then the House was moved, that the 25th and 29th Sections of an Act made in the 6th Year of the Reign of Queen Anne, intituled, *An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of Great-Britain in the Protestant Line,* (which Clauses relate to disabling several Persons having some Offices, and having Pensions from the Crown during Pleasure, to sit in the House of Commons) might be read:

‘ And the same were read accordingly.

‘ Then the House was moved, that an Act made in the first Year of the Reign of his late Majesty King George, intituled, *An Act to disable any Person from being chosen a Member of, or from sitting and voting in the House of Commons, who has any Pension for any Number of Years from the Crown,* might be read:

‘ And the same was read accordingly.

‘ Then the House was moved, that the Journal of the House, of the 18th Day of November 1707, in relation to the Proceedings of the House, in the Consideration of several Lists and Accounts of Offices and Pensions laid before the House, might be read:

‘ And the same was read accordingly.’

From the two Accounts above-mentioned it appeared, that *Thomas Corbett, Esq;* a Member of that House, had, since his being chosen, accepted of a Salary of 200*l. per Annum*, by his Majesty's Royal Sign Manual, dated the 14th of *August 1739*, (which in its Nature is revokable at Pleasure) as Secretary to the Court of Assistants for Relief of poor Widows of Sea-Officers; and

and as by the first Act above-mentioned, it is enacted, that no Person having any new Office, after that Act to be erected, under the Crown, nor Person having any Pension from the Crown during Pleasure, shall be capable of being a Member of the House of Commons; and by the 2d, that no Person having any Pension from the Crown, for any Term or Number of Years, shall be capable of sitting or voting as a Member of the House of Commons; therefore, after these preparatory Steps for the Information of the House, a Motion was made, and the Question proposed, ‘ That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Saltash in the County of Cornwall, in the Room of Thomas Corbett, Esq; who hath accepted a Salary of two Hundred Pounds per Ann. by his Majesty’s Royal Sign Manual, dated the 14th of August 1739, as Secretary to the Court of Assistants for Relief of poor Widows of Commission and Warrant Officers of the Royal Navy, established by Virtue of a Commission under the Great Seal, bearing Date the 30th of August 1732.’

These Motions were all made by the said Lord Polwarib, and seconded by Sir William Wyndham; and Mr. Corbett being first heard in his Place, withdrew; after which there ensued a Debate, in which the Question in Dispute was, whether the Office and Salary he had was within the Meaning of either of these Acts. Those who thought it was, were of Course for agreeing to the Motion, and those who thought otherwise against it. At last the Question was put, and upon a Division carried in the Negative, 223 Noes, to a 132 Yeas.

Immediately after this Division was over, the same young Nobleman moved the House, ‘ That a Committee be appointed to enquire what new Offices or Places of Profit have been created or erected since the 25th Day of October, in the Year of our Lord 1705; and also whether there are any greater Number of Commissioners made or constituted for the Execution of any Office, since that Time, than had been before employed in the Execution of such respective Office.’

Motion for a Committee to inquire into new Offices.

Upon

Upon this Motion there was likewise a Debate; but upon the Question's being put, it was also carried in the Negative, 196 Noes, to 154 Years.

Papers relating to the Convention moved for.

The next Day, viz. Thursday February the 21st, William Pulney, Esq; moved the House, 'That the Address of the House, to his late Majesty, (contained in the Journal of the House of the 31st Day of March 1715,) that his said Majesty would be pleased to direct, that all Powers, Instructions, Memorials, Letters, and Papers, relating to the then late Negotiations of Peace and Commerce, and to the Cessation of Arms might be laid before the House, might be read.'

And the same being read accordingly, he then moved, 'That the Journal of the House of the 5th Day of April following, in relation to the Appointment of a Committee of Secrecy, to whom the said Powers, Instructions, Memorials, Letters, and Papers, then presented to the House, were referred, might be read.'

And the same being also accordingly read, his next Motion was, 'That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions to the proper Officers to lay before this House, all the Powers, Instructions, Memorials, Letters, and Papers, relating to the Convention between Great-Britain and Spain, concluded at the Pardo, Jan. 14, 1739. N. S.'

After this Motion, the House was moved, 'That Part of his late Majesty's most gracious Speech, to both Houses of Parliament, relating to the Conclusion of the War, and the Attempts to defeat the Protestant Succession, and Part of the Address of this House to his said Majesty thereupon, contained in the Journal of this House of the 23d and 24th Days of March 1714, might be read.'

And Parts of the said Speech and Address being accordingly read, there then ensued a long Debate upon the preceding Motion. In Favour of the Motion it was said, that when any publick Measure occasioned a general Discontent to arise among the People, it was the Duty of that House to inquire into the Cause of the People's Discontent, and to give them Satisfaction, which that House would always be able to do by a strict and impartial Enquiry; because no publick Measure could

could raise a general Discontent, unless it was either very wrong in itself, or very artfully and maliciously misrepresented to the People. If the Measure was wrong in itself, that House by a strict Inquiry would be able to discover the Authors and Advisers of it, and their being brought to condign Punishment would give Satisfaction to the People. On the other Hand, If a Measure, right in itself, had been artfully and maliciously misrepresented to the People, that House would always have it in their Power by a strict Inquiry to set the Affair in a true Light to the People, to rectify the false Notions and Prejudices that had been artfully instilled into them, and to detect and punish the Authors of those malicious Misrepresentations. To enquire into any publick Measure that had raised Murmurings and Discontents among the People, was therefore a Duty they owed not only to their Country but their Sovereign. If the People had been misled by seditious Defamers of the Government, it was the Duty of that House to set them right, in order to prevent their being blindly led into Tumults or Insurrections : If the King had been misled by wicked or weak Counsellors, it was the Duty of that House to enquire into the Affair, in order to remove the Resentment of the People from the Throne, and to direct it where it ought always to be directed, against those that had imposed upon or misled their Sovereign.

This being the Case, it was from thence apparent, that they ought to inquire into the Affair of the late Convention with *Spain*, because no publick Measure had ever occasioned a more general Discontent in this Nation ; and as they could not inquire into that Affair without having the Papers then moved for before them, they ought to agree to the Motion. If the late Convention was a right Measure : If it was such a Treaty as could any Way be justified, the Ministers would promote a strict and impartial Inquiry into it, in order to remove from themselves the Scandal of having negotiated and agreed to one of the most dishonourable and destructive Treaties that ever *England* was led into, which was then the general Opinion the People had of it ; and in order to have those Men punished that had so falsely and maliciously aspersed their Conduct : But if it were really such a Treaty as it was then generally believed to be, that

House

House was in Duty to their Sovereign obliged to inquire into it, in order to remove the Scandal from the Throne; and in Duty to their Country, in order not only to punish those who had misled the King, but to do what was of much more Consequence to the Country, to prevent their having any Thing farther to do in the Administration of our publick Affairs.

On the other Side the principal Argument made use of was the usual one of it's being dangerous, and inconsistent with the publick Safety, to have the Papers moved for laid before so numerous an Assembly, because it would discover all the Secrets of our Government to our Enemies; and moreover it was said, that a Clamour artfully raised among a few People was not to be called a general Discontent, and therefore was not a sufficient Cause for taking up the Time of that House, and diverting the Attention of our Ministers from the publick Affairs of the Nation in the Time of a dangerous War, by setting up a Parliamentary Inquiry into their former Conduct; which was the Reason that no such Inquiry was ever set on Foot into any publick Measure, but such as was supposed to be wrong by a Majority of the Members then present. That a publick Measure which had been approved by one Parliament might perhaps be inquired into and condemned by another, because different Parliaments were very often of different Complexions; but as the Convention had been approved of by that House, it would look very odd, and would be inconsistent with the Character of that august Assembly, to set on Foot an Inquiry, in a subsequent Session, into a Treaty that had been approved of in the very next preceding Session of the same Parliament.

To this it was replied, that supposing the Papers moved for contained Secrets of the utmost Importance to the publick Safety, yet there was no Danger in having them laid before a select and secret Committee of that House; for if the contrary should be admitted as a general Maxim, it would render it impossible for that House ever to inquire into the Conduct of any Minister whatever. That the Precedent which had been read to them shewed, that no such Maxim had ever been admitted; and as the Design upon this Occasion was to follow that Precedent, therefore the Danger of discovering

ing the Secrets of our Government to our Enemies, could be no Objection to the Motion then before them; because, as soon as the Papers proposed to be addressed for should be laid before them, a Motion would be made for referring those Papers to a Committee of Secrecy, and that Committee would certainly take Care not to report to the House any Secrets, which, by being discovered, might be of dangerous Consequence to the publick Safety. That the many Petitions which had been presented against the Convention was a full Proof, that the Clamour against it was not a Clamour artfully raised among a few People, but such a one as shewed a general Discontent; and therefore such a one as made it the Duty of that House to inquire into a Measure which had been so generally complained of; especially as that Treaty had failed of producing the Effect which it's Friends so strongly asserted it would. That it was wrong to say, the Treaty had been approved of by that House. So far otherwise, that nothing prevented it's being censured when it was first laid before them, but the Hopes so confidently given, that as it was but a Preliminary, it would certainly and very soon produce a safe and honourable Peace; whereas it then appeared, that this Preliminary had certainly and very soon produced a dangerous and expensive War. The Convention therefore was not approved of by Parliament, and it had since been condemned not only by the whole Nation, but by the King himself, and even by those very Ministers that had concluded it; for the very Principle of the War was to consider our Right, *not to be searched*, as an indubitable Claim, that would not admit of any Discussion; whereas the Principle upon which the Convention was built, as well as all the Negotiations that preceded it, was to consider this Claim, as a Claim that required to be discussed, and to be regulated.

These were the chief Arguments made use of for and against this Motion, and at last the Question being put, it was carried in the Negative.

I have already taken Notice of the Debate upon the Estimate for the ordinary of the Navy *. As a great many Papers and Accounts relating to the Navy had been called for, previous to that Debate, and as from

Motion a-
gainst Mis-
applications
of publick
Money.

* See before p. 20.

some of them there appeared to be some Ground for suspecting, that the Sums formerly granted for Publick Services, had not been applied exactly as directed by Parliament, therefore upon the 26th of February, as soon as the Resolution of the Committee of Supply for granting 199704l. 8s. 3d. for the Ordinary of the Navy for the Year 1740, had been reported, and agreed to by the House, the Lord Polwarth stood up and moved the House to resolve, that, to apply towards defraying the ordinary Charge of his Majesty's Navy, or to any Head contained in the ordinary Estimate thereof, any Sum of publick Money exceeding the Sum granted by Parliament for that Purpose, was a Misapplication, and ought to be prevented. This Motion being opposed, it occasioned a long Debate, and at last upon the Question's being put, it was carried in the Negative.

Motion in
the House of
Lords a-
gainst send-
ing a Mes-
sage singly
to the House
of Com-
mons.

I have already taken Notice of his Majesty's Message to the House of Commons of the 12th of February*. As no Message for this Purpose was sent to the House of Lords, it gave great Offence to several Lords of that House, and therefore, a Motion was made for the Lords to be summoned to attend the Service of the House on Thursday the 28th of February, when the Earl of Halifax stood up, and after a short Speech moved to resolve, 'That it was contrary to the Customs of Parliament, and derogatory to the Privileges of that House, that a Message signed by his Majesty, asking a farther Supply for the carrying on a War, should be sent to the House of Commons singly, without taking any Notice of that House.' This Motion being opposed, it occasioned a long Debate in that House, in which the chief Arguments made use of in favour of the Motion were, That though all Grants of Money, by way of Supply to the Crown, and all Laws for raising them had for many Years been first begun in the House of Commons, yet as the House of Lords was one of the Branches of the Legislature, no Law could pass, nor any Grant be made, without their Concurrence, and therefore in all Cases where an Application from the Crown to Parliament was necessary, it ought

* See Page 17.

to be made to that House as well as the other ; but more particularly in Cases depending upon any new Measure which the Crown had resolved to pursue ; because the House of Lords was properly the chief Council of the Crown, and had therefore a double Right to be consulted when new Grants became necessary for the carrying on of new Measures.

To this it was answered, that all Applications for Money were to be made to the House of Commons, because that House claimed the sole Right of granting Supplies to the Crown. That though their Lordships had not expressly admitted of that Claim, yet they had for many Years tacitly acquiesced under it, which was the Reason, that in all Speeches from the Throne, when the King comes to mention the Supplies, he addresses himself particularly to the Gentlemen of the House of Commons, and tells them, he has ordered the proper Estimates to be laid before them, to the End that they may from thence see what Sums will be necessary for the Service of the ensuing Year. That for the same Reason those Estimates were never laid before that House, and as the Message then under Consideration was to be looked on as a general Estimate for secret Services of which no particular Estimate could be laid before Parliament, it was no more necessary to lay it before that House, than it was to lay all the Estimates before them that were regularly every Session laid before the other House. That if the Message had been for Advice, it would have been necessary to have laid it before that House, and perhaps more necessary to have laid it before that House, than to have laid it before the other, but it plainly appeared upon the Face of the Message, that it was not for Advice but for Money, because his Majesty only mentioned his having under Consideration certain Measures which would occasion some extraordinary Expences not comprehended in the Estimates, without intimating in the least what those Measures might be, and it would be ridiculous to suppose that his Majesty asked or intended to ask the Advice of his Parliament about Measures which they could know nothing of in a parliamentary Way.

It was replied, that the other House had never so much as claimed the sole Right of granting Supplies ; but

but that such a Claim might very probably be the Consequence of their Lordships disagreeing to the Motion then before them; for if it was admitted, that it was not necessary for the Crown to make any Sort of Application to that House for a Supply, it would be a natural Inference to say, that therefore the Concurrence of that House was not necessary for confirming and establishing the Grant of the House of Commons; and for rendering such a Conclusion the more plausible, an ingenious Member of the other House might argue, why should the Concurrence of the Lords be necessary for establishing a Grant of the Commons, since the Concurrence of the House of Commons is never so much as asked for establishing a Decree of the House of Peers? But the other House had been always so far from claiming the sole Right of granting Supplies to the Crown, that it was but very lately since they had absolutely refused that House a Right to alter or amend any Money Bill they sent up; for the only Decision with regard to their Lordships Right in that respect, was a Resolution of the House of Commons in the Year 1696, that they would not admit of or agree to any Conference upon any Amendment made by that House to a Money Bill, which they afterwards made a Standing Order of their House; but this was a Decision which, it was hoped, would have no Authority or Weight with their Lordships.

That the only Right the Commons had with regard to Grants of Supply was, that those Grants should be first agreed to by them, and the Reason upon which this Right was founded, appeared very plain from the Nature of such Grants, because they must be not only such as are necessary for the Publick Service, but such as the People are able to comply with; and as the other House was of course supposed to be better acquainted with the Abilities of the People than their Lordships could be, therefore the Supplies required by the Crown, were to be first taken into Consideration in the other House, that they might determine, whether or no the People could possibly afford the Supplies demanded; for till that Point was determined, it was needless for their Lordships to enter into the Question, whether or no such Supplies were necessary for the Publick Service.

As to the Arguments drawn from the usual Form of the King's Speech, and from the Estimates being laid before the other House singly, it was replied, that the Custom of the King's addressing himself particularly to the House of Commons, when he mentioned Supplies, was but of a very late Date. No such Thing had ever been done before the Revolution: It was even some Years after that happy *Aera*, before the Custom was introduced; and if the other House should begin to make the same use of it that some Lords seemed to do in that Debate, it would be high time for that House to insist upon it's being altered, and the former Custom of addressing to both Houses jointly, in that as well as every other Part of the Speech, resumed. But with regard to the Estimates being laid before the other House singly, it was surprising to hear it mentioned as an Argument against the Motion, because that House had a Right to call for any or all the Estimates if they pleased, before giving their Consent to any Money Bill, and it were to be wished they had done so upon every Occasion: for it was proper that every Estimate should undergo a double parliamentary Scrutiny, before it's being finally approved of; and it would make the other House more careful in examining the Estimates laid before them, if they were sensible that those Estimates would undergo a second Scrutiny in the House of Lords.

And with respect to the Message's being a Message for Money only, and not for Advice, it was replied, That by our Constitution, the King was in his Speech from the Throne to lay before both Houses, at least in general Terms, the Measures which made those Supplies necessary that were to be demanded, in order that that House might offer their Advice to the Crown with regard to the Measures, or refuse their Concurrence to the Supplies, in case they did not approve of the Measures. Therefore, as in this Message some Measures were mentioned to the other House, that had not been so much as intimated in his Majesty's Speech, they ought to have been mentioned to that House as well as the other, and consequently the Message ought to have been sent to them as well as the Commons; for though Measures be not particularly communicated, their

Lordships may, from the general Posture of Affairs, or from general Rumours and Suspicions, find it necessary to give their Advice with regard to them, or to refuse their Concurrence towards granting those Supplies that may be necessary for carrying them on.

These were some of the chief Arguments made use of with regard to the Merits of the Motion; but in order to avoid any Determination upon the Merits, the previous Question was proposed by those Lords that opposed the Motion, and that Question being at last put, it was carried in the Negative upon a Division, 68 not Contents, to 32 Contents.

The principal Speakers in this Debate were as follow, *viz.*

For the Motion.

The Earl of Halifax,
Lord Talbot,
Lord Carteret,
Earl of Chesterfield,
Lord Bathurst,
Earl of Aylesford.

Against it.

The Lord Delawar,
Lord Lovel,
Earl of Illy,
Lord High Chancellor,
Earl of Cholmondeley.
Lord Onslow,
Duke of Newcastle,
Lord Hervey.

Motion for
congratula-
ting his
Majesty on
Admiral
Vernon's
Success.

The next Affair I shall take notice of, began likewise in the House of Lords as follows. On Monday, the 17th of March, the Earl of Abingdon stood up, and after mentioning Admiral Vernon's Conduct and Success at Porto-Bello, with great Applause, he said, that he thought it an Affair of such Consequence as to deserve the Notice of that House. He would not, he said, venture to make any Motion to their Lordships, but he was of Opinion, that a congratulatory Address to his Majesty upon that Occasion would come very properly from their Lordships. Upon this he sat down, and the House was silent for some time. At last the Lord Carteret stood up, and said, he had sat still for some time expecting, that such a Proposition as his noble Friend had hinted would have come from another Quarter, but as it had not, he hoped their Lordships would excuse him, if he should endeavour to prevent its being entirely dropt. The Design, he said, was so

wisely concerted, so bravely executed, and Victory, when obtained, so humanely used, that it had retrieved the Glory of his Majesty's Arms, and would be of the utmost Consequence to their future Success. It would shew the World, that we could not only make War with Vigour, but pursue it with Moderation; and it would convince the Spaniards of what would certainly at last appear to be true, if we made a proper Use of the Power which God had put into our Hands, that no Nation in the World could protect them against us, and that we could protect them in the *West Indies* against all. After adding a good deal more upon this Subject, and after taking Notice of our former Conduct at that very Place, his Lordship concluded with moving for a congratulatory Address to his Majesty upon that Occasion; and the Motion being agreed to, he moved for a Message to the other House to desire that they would continue sitting for some time, which was likewise agreed to. Then a Committee was appointed to draw up the Address, in which there was some Debate about adding the Words, *with six Ships of War only*; and they were agreed to be left out, so that these Words were not in the Address as it was first sent down to the Commons; and a Blank was left, as usual, for the Words, *and Commons*.

Some Objection was likewise made in the House of Lords to the Word *real* in the last Paragraph; because the Words *real* and *effectual* were, as it was said, synonymous Terms, and as such Addresses ought to be as concise as possible, it was not fit, there should be any thing in the Address that looked like a Tautology. To this it was answered by the Earl of Abingdon, that *real Security* seemed to signify a *Land Security*, which, in his Opinion, was the only Security that would be effectual, and if their Lordships were of the same Opinion, it was absolutely necessary to add the Word *real*, in order to shew what they meant by *effectual*. By having the Possession of *Gibraltar* and *Portmahon*, his Lordship said we had a *real Security* for the Freedom of our Trade and Navigation in the *Mediterranean*, and it was become necessary we should have the same sort of Security for the Freedom of our Trade and Navigation in the *American Seas*.

The Objection being upon this given up, and the Address agreed to, it was immediately sent to the House of Commons for their Concurrence; where the adding of the Words, *with six Ships of War only*, at the End of the first Paragraph, was moved by Mr. Pulteney, and seconded by Mr. Sandys. This occasioned a short Debate, in which *Henry Pelham, Esq;* *Thomas Winnington, Esq;* *Sir Robert Walpole,* and *Sir Charles Wager* spoke against the Motion; and *Walter Plumer, Esq;* and *Thomas Gore, Esq;* in support of it. At last the Question being put, it was carried upon a Division in the Affirmative, 36 Yeas to 31 Noes, and the Address with this Amendment being agreed to, *nemine contradicente*, it was sent back to the Lords for their Concurrence to the Amendment, which was granted by their Lordships without any Opposition, so that the Address as agreed to by both Houses stood as follows, *viz.*

An Address to the King.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do congratulate your Majesty on the glorious Success of your Majesty's Arms in the West Indies, under the Command of Vice-Admiral Vernon, by entering the Port, and taking the Town of Porto-Bello, and demolishing and levelling all the Forts and Castles belonging thereto, with six Ships of War only.

This Enterprise, so wisely concerted, and so bravely conducted, cannot fail of giving the utmost Joy to all your Majesty's faithful Subjects, since it affords the most reasonable Hopes and Expectations, that, by the Blessing of God upon your Majesty's Counsels and Arms, it may be attended with other important Advantages, and highly contribute to the obtaining real and effectual Security of those just Rights of Navigation and Commerce belonging to your Majesty's Subjects, for the Preservation of which your Majesty entered into this necessary War.

Next Day the Lords acquainted the Commons by Message, that his Majesty had appointed to be attended with

with the Address of both Houses that Day at two o'Clock, at his Palace of St. James's, and that their Lordships intended to be there at that Time; and the Commons having accordingly met the Lords there, the Address was presented by both Houses, and his Majesty returned the following most gracious Answer, *viz.*

My Lords and Gentlemen,

I thank you for your dutiful Congratulations on this Success, which is so much for the Honour and Interest of my Crown and Kingdoms. The Satisfaction you express in the Measures I have taken, is very agreeable to me.

Friday, March 21st. The following Motion was made in the House of Commons by Alexander Hume Campbell, Esq; and seconded by Samuel Sandys, Esq; *viz.* ‘That the Commissioners for executing the Office of Lord High Admiral of Great Britain, do lay before this House, a List of such of his Majesty's Ships of War, as have been employed as Cruisers, for the Protection of the Trade of this Kingdom on this side Cape Finisterre, since the 20th of July last, distinguishing the Time each Ship was ordered to remain, and the Time such Ship did actually remain on such Cruize, together with the Reasons of her returning to any Port of this Kingdom.’

A Motion
for an Ac-
count of
Cruisers.

This Motion being opposed, it occasioned a long Debate, in which the chief Argument made use of for the Motion was, that as that House by our Constitution was the grand Inquest of the Nation, they had a Right to inquire into the Management of Publick Affairs, and it was their Duty to exercise that Right as often as any reasonable Ground of Suspicion appeared. In support of this Argument it was said, that frequent Inquiries had been made during the War both in King William and Queen Anne's Time, and that no Motion for that Purpose had been ever refused: That in former Times parliamentary Inquiries into the Conduct of our Ministers were very frequent, and but seldom refused, even when insisted on but by a very few Members of that House; because in those Days the Friends of the Minister

ster knew, that there was a very great Difference between an Inquiry and a Censure; but to such Gentlemen of late Years every Inquiry appeared hideous: they seemed now to confound the two Terms, and to suppose, that Inquiry and Censure were synonymous Words, or at least that a parliamentary Censure would be the certain Consequence of a parliamentary Inquiry, which was no great Compliment to the Conduct of the Minister whose Power they seemed so zealous to support.

As this Argument led Gentlemen in to examine the Conduct of the Administration, and the various Events of the War, in order to shew that there was some reasonable Ground to suspect Mismanagement in our Publick Affairs, they complained, that as we had been for so many Years in profound Peace, though seldom or never in profound Quiet, it was easy to foresee, that there would be a great want of Seamen at the breaking out of the War, therefore they should have endeavoured to supply this Want, by putting some of our Foot Soldiers as Marines on board our Ships of War, and by giving great Encouragement to Landmen to enter into the Sea Service; but instead of this, no one Soldier was put on board any of our Men of War, no proper Encouragement offered for Landmen to enter into his Majesty's Service, even many of those that might have been had without any Premium were refused, and Methods were taken for supplying the Navy with expert Seamen which greatly distressed our Trade, and which nothing but the utmost Necessity could justify. An Embargo was laid on, and a hot Press begun, and continued with such Severity, that no Merchant Ship was allowed a Protection for her Men, unless she furnished one Man for the King's Service, for every four Men she desired to be protected for her own Service; which was really laying a Tax, without Authority of Parliament upon the Merchants of this Kingdom, because they could not procure a Man for the King's Service, without a Premium or Bounty Money, which by the long Continuance of the Press had arisen from forty Shillings to ten Guineas per Man. This Tax, they said, was every bit as illegal as the Tax called Ship Money which raised such a Combustion in King Charles the First's Reign, and was much more unjust, because

because this new sort of Tax was raised upon the Merchants in particular, whereas the other was proposed to have been raised upon the whole Nation in general. But this was not the only Grievance, for when a Merchant Ship outward bound had procured her Quota of Men, these Men were refused by the Regulating Captains as not being fit for the King's Service, and yet Protections were denied, even for those very Men that had been so tendered and refused, which look'd as if a Man, when press'd, might be deemed fit for the King's Service, though he could not be deemed so when voluntarily offered, and for this no Reason could be assigned, but that an Officer of a Press Gang had a Perquisite of *eight or ten Shillings* for every Man he press'd, whereas he got nothing by those that voluntarily entered.

They farther complained, that there had been great Neglect in appointing both Cruisers and Convoys, especially the former: That in consequence of this, great Numbers of our Merchant Ships had been taken, and of them no less than five had been lately taken in our own Channel, which was not only a great Indignity, but a certain Proof, that there had been a Neglect either in appointing Cruisers, or in the Cruisers that were appointed, but they believed it to be part of both; for so far as they could learn, there had not been a sufficient Number appointed, nor those that were appointed properly stationed; and what was still worse, no one of them seemed to have been diligent in their Duty, except Captain *Cleland* alone, because they had not heard of so much as one Privateer's being taken or destroyed but by that Gentleman, who had but just left the Merchants Service, and returned to the Service of the Navy; and therefore it were to be wished, that most of the Gentlemen of the Navy would, in time of Peace, employ themselves in the Merchants Service, because it would make them acquainted with the Merchants, and consequently more sensible of the Dangers their Ships are exposed to in time of War. That as to our Cruisers in general, it was well known, that many of them loitered away one half of their appointed Time in Port, where they should never come but in case of Necessity; for if they were out at Sea during the whole Time of their Cruise, they would be more in the way of intercepting

tercepting the Enemy's Privateers, and of being a Refuge to our Merchant Ships in case of their being attacked at Sea; and yet no Example had been heard of since the War began, of a Captain's being so much as reprimanded for returning to or staying in Port, without a Necessity for so doing.

On the other side, the Right and the Duty of the House was admitted to be as had been represented, but with regard to the Complaints it was answered, that upon all extraordinary Occasions, the Crown had, by our Constitution, a Power to take extraordinary Steps when they appeared necessary for the Publick Safety. This, they said, was warranted by immemorial Custom and many Precedents, which was to be considered as the Common Law of *England*; and upon Occasion of the present War, the Crown had been more moderate than ever before upon any like Occasion. That at the Beginning of every War, both Embargoes and Pressing became necessary for manning the Royal Navy, which, as it was necessary for our Defence, as well as for offending the Enemy, was therefore to be preferred to every other Service. That at the Beginning of the War, we had no greater Land Army than had been judged necessary by Parliament for our Safety in Time of Peace, and therefore could not spare to send any of our Soldiers to serve as Marines on board our Men of War; and that as to Landmen, a great Number of them had been received, and were then actually on board our Men of War, but it was inconsistent with the Honour of the *British* Flag, and the Safety of his Majesty's Ships of War, to put such a Proportion of Landmen on board every Ship of War as Gentlemen not acquainted with the Sea Service usually supposed; because, though they might perhaps serve for fighting the Ship, while in good Health, their Health was not to be depended on; for by their not being accustomed to the Sea Climate and manner of Living, many of them fell sick soon after the Ship's putting to Sea, and continued so for some after; and if one of our Men of War, with one half of her Men not able to stir out of Bed, should engage with an Enemy's Ship of equal Force, she would be in great Danger of being taken, which would bring Dishonour upon the Flag of *Great Britain*

Britain, as well as occasion the Loss of one of his Majesty's Ships of War.

From hence they said it appeared, that both Embargoes and Pressing were necessary for manning the Royal Navy; and when the Embargo was laid on, the Merchants of themselves applied to the Admiralty, and offered to furnish a certain Proportion of Men for his Majesty's Service, upon condition of their getting a Permission to sail, and a Protection for the Men they had provided for their own Service. Therefore, whatever Charge they put themselves upon this Account, it was not to be called a Tax imposed upon them, but a Charge they voluntarily took upon themselves. That this very thing had been practised in the Year 1692, which was so soon after the Revolution, that it is not to be supposed, the Government would then have done any thing inconsistent with Law; and that the Government then demanded a higher Proportion of Men from the Merchants than had been demanded upon the present Occasion; for upon that Occasion, 150 Men for the Government's Service had actually been demanded from, and furnished by the *Hudson-Bay* Company alone. This, they said, was a Precedent, and a Precedent of great Authority, for what was now done; and therefore it was wrong to compare the Charge or Expence, which, upon this Occasion, the Merchants voluntarily took upon themselves, to the Tax in King *Charles* the First's Reign called Ship-Money, which was arbitrarily and without Precedent imposed, and levied by meer Force and open Violence.

Gentlemen, they said, complained, that our Trade was not protected, that a sufficient Number of Cruisers was not fitted out, that vigorous Measures were not pursued, and yet at the same time complained of every Method taken by the Government for these Purposes, though nothing had been done but what was warranted by the Practice of former Times. These two Complaints were absolutely inconsistent; for if there was any Deficiency in the Number of our Cruisers, it was entirely owing to a want of Seamen, a great Number being still wanting, notwithstanding all the Methods that had been taken. But a few of our Merchant Ships being taken in the Channel, was no Proof of a Deficiency, either

either in the Number or the Diligence of our Cruisers; for it was impossible to cover the Seas with Cruisers, and if we had a great many more than we have or can have, some Merchant Ships might be taken, because some of the Privateers were half French, half Spanish: when they met with a Merchant Ship they were Spanish, and made her their Prize, when they met with a Man of War they were French, and the Man of War could not make Prize of them, because it was impossible to prove the contrary.

It was replied, that no Gentleman had denied the Crown's having a Power to lay an Embargo, or to press Seamen into the Government's Service, when it appeared absolutely necessary for the Publick Safety. The Question was, whether there was any such Necessity upon Occasion of the present War, and upon this Question it had been said, that if other more proper and less arbitrary Methods had been taken, the Navy might have been sufficiently supplied without either Pressing or Embargo, neither of which ought to be resorted to but in Cases of the most urgent Necessity. In former Times, even the Method of Pressing had never been made use of, but when the Nation was in immediate Danger of being invaded, but of late Years this Method had been practised upon every Occasion: Even a Spithead Expedition could not be undertaken, without interrupting our Trade, and oppressing our Seamen by a hot Press; and the many Expeditions of this Kind lately undertaken, together with the bad Usage our Seamen sometimes met with on board, had raised an utter Aversion among them to the Government's Service; so that if there was a Necessity for pressing at the Beginning of this War, it was entirely owing to our former Misconduct. But with regard to an Embargo, for the Sake of manning the Navy, it had never been practised but in Cases of the most imminent Danger; and even then an Embargo was laid upon our Shipping, rather with a View to conceal from the Enemy what we were about, than with a View to get Seamen for the Navy; which was the Case in 1692. In that Year our Government had certain Advice, that a powerful Invasion was designed from France, and that their Fleet for that Purpose was almost ready to sail. This gave a just

just Cause both for Pressing and an Embargo; and the Event shewed, that the Advice was well founded; for it did not come here till near the End of *March*, and the famous Sea-Fight of *La Hogue*, which put an end to the *French* Design, as well as to their naval Power, happened upon the 19th of *May*. Can this be insisted on as a Precedent for what was done at the Beginning of this War? Can it be said we were then in any Danger of an Invasion? It is Necessity only can justify either an Embargo or Pressing, and when either is practised without any Necessity, it is as illegal as the raising of Ship Money was in King *Charles* the *Ist*'s Reign; and might be made the same Use of, that is to say, to levy Money upon the Subject without the Consent of Parliament. When a Merchant has his Goods ready to be sent on board, or his Ship ready to sail, and the Government tells him, your Ship shall not sail, your Goods shall rot upon your Hands, unless you procure us at your own Expence such a Number of Seamen, can it be said, that he voluntarily takes that Expence upon himself? It may as well be said, that a Gentleman who puts his Hand into his Pocket, and delivers his Money to a Highwayman, does it voluntarily. He does it to avoid a greater Mischief, that of being shot through the Head; and the Merchant who puts himself to the Expence of two or 300*l.* or pays so much for the Service of the Goverment, in order to get Leave for his Ship's sailing, does it to avoid a greater Mischief, that of losing ten or 12,000*l.* It is Compulsion in both Cases, and when the Embargo is unnecessary, and consequently illegal, the Compulsion is as unjust in the one Case as the other.

To shew that neither an Embargo nor such a severe Press was necessary at the Beginning of the War, they insisted upon the Weakness of the Enemy we had to deal with, and upon our being in no Danger from *France* on Account of the bad Condition of their Navy. And with Regard to Landmen, it was said, that if Care was taken to give them good Provisions and Accommodation on Board, most of them would be seasoned to the Sea in a few Days, as had upon all former Occasions been experienced, no such Complaint having ever before been heard of. Then with regard to the Soldiers serving as

Marines,

Marines, the Argument always used for keeping such a numerous Army on Foot was, that in Case of a War we might have a Body of regular Troops ready to send Abroad for assisting our Friends, or attacking our Enemies; for it had never yet been pretended, and it would be ridiculous to pretend, that we must always, in Time of War as well as Peace, keep a Body of 30,000 Men at Home for defending us against Invasions and Insurrections; therefore we might have sent a great Number of our Land Forces to serve as Marines on Board our Men of War, especially as we did not at the Beginning of the War send any of them out to attack the Enemy at Land. But we were so far from trying either of these Methods for manning the Navy, that we began with Preffing and Embargoes, and long before we offered any Bounty for Seamen to enter themselves voluntarily; for as to Landmen no Bounty at all had been offered, but on the contrary many that had offered, or were sent up by the Counties, had been refused; so that of all the Methods that might have been made Use of for manning the Navy, those only were chosen that must be allowed to be the most extraordinary and the most arbitrary.

But this, they said, was not the only Error: Though we knew that we could have no immediate Occasion for many large Ships of War, and that we should have great Occasion for small Ships to serve as Cruisers and Convoys for the Protection of Trade, yet we had at the Beginning fitted out a much greater Number of large Ships than we had Occasion for, and not near a sufficient Number of small Ships; and what was still worse, many of our large Ships, after they were fitted out and full manned, were kept idle in Port, instead of being sent out to cruise for the Protection of our Trade, which was not only a Damage to our Trade, but a Prejudice to the Health of our Seamen, who contracted Distempers, and wasted their Spirits, by being shut up in Ships, without any Exercise or Employment.

In this Debate, the chief Speakers were as follows,
viz.

For the Motion.

Alex. Hume Campbell, Esq;
Samuel Sandys, Esq;

Against the Motion.

Thomas Clutterbuck, Esq;
Sir Robert Walpole.

Sir

For the Motion.

Sir John Barnard.

Sir William Wyndham.

Mr. Alderman Perry.

Mr. Alderman Heathcote.

George Lyttleton, Esq;

Against the Motion.

Henry Pelham, Esq;

Sir Charles Wager.

Motion for
appointing a
sufficient
Number of
Cruisers.

And upon the Question's being put, it was carried in the Negative, 145 Noes, to 97 Yeas.

This Motion being thus rejected by a Majority of the House, the same Gentlemen, upon the *Monday* following, moved, ‘ That an humble Address be presented to his Majesty, humbly to beseech his Majesty, that he will be graciously pleased to give Directions, that, over and above the Ships of War he shall think proper to employ against the Enemy, a sufficient Number of his Majesty’s Ships may be appointed to cruise in proper Stations, for the effectual Security and Protection of the Trade of his Majesty’s Subjects.’

Upon this, Sir Robert Walpole stood up, and said, that though he thought it very unnecessary to present any such Address, as no Neglect in that Way had been so much as complained of, yet he would not oppose the Motion, but would beg Leave to offer some few Words by Way of Amendment, which he hoped the House, and even the Gentlemen who had made and seconded the Motion, would approve. In this and every other War, he said there are three Things to be taken Care of. The Security of our Dominions both Abroad and at Home: The Protection and Security of our Trade; and the Prosecution of the War with Vigour against the Enemy. Of these three, the first was the principal Thing we ought always to have in View, and ought therefore to be first taken Care of: The second was the next to be provided for, and this was to be done by Cruisers and Convoys; but of these two Methods the last was, he thought, the most secure, and therefore the first to be taken Care of. Cruisers, indeed, might be appointed; but it was impossible to cover the Seas with our Cruisers. We could appoint them only to cruise in such or such certain Stations: The Enemy would get an Account of these Stations: Their Privateers would avoid coming within any of these Stations; but

but would lie in wait for our Merchant Ships in every other Part of the Ocean; so that it was impossible to provide effectually for the Security and Protection of our Trade by Cruisers. Whereas, by appointing proper Convoys, and a sufficient Number of them, we might effectually provide for the Security and Protection of our Trade, even though we had not one Cruiser at Sea; because in that Case, no Merchant Ship could fall into the Hands of the Enemy, unless by her own Fault in sailing without Convoy, when under no Necessity for doing so; therefore, he would propose to leave out the Words, *a sufficient*, to put in their stead, *such a*, and at the End of the Motion, to add these Words, *as shall be consistent with the Defence and Protection of his Majesty's Dominions, and the safe convoying the trading Ships of this Nation to and from foreign Parts.*

To this it was answered by Sir William Wyndham, That though no Complaint had been regularly brought into that House, for which a good Reason might be assigned, yet there were very great Complaints without Doors, most People being of Opinion, that proper Care had not been taken for the Security and Protection of our Trade; and as this Opinion generally prevailed without Doors, it was a sufficient Reason for their agreeing to the Motion; because it would shew, that whatever others might be, they were not in that House negligent of their Duty. As to the Amendment proposed, he did not think it in the least necessary; for in the present War no Man could suppose, we had not a naval Force sufficient for all the Purposes the honourable Gentleman had mentioned, without supposing that we were too cautious in providing against impossible or chimerical Dangers, and thereby exposed ourselves to those that were certain and infallible. Then he shewed the Necessity of having a sufficient Number of Cruisers besides Convoys, in order to protect our Merchant Ships that might by Accident be separated from their Convoys, and to protect those that by the Nature of their Trade were obliged to sail without Convoy. However, as the honourable Gentleman had proposed an Amendment, he would, for that Reason, and that only, agree to it.

Mr.

Mr. Pulteney said, he would not oppose the Amendment, since the honourable Gentleman seemed willing to agree to it. Nevertheless he could not but be of Opinion, that it was not only unnecessary but wrong; because it implied an ugly Insinuation, as if we were not able to provide sufficiently for all the Services the honourable Gentleman had mentioned; which would give Foreigners a very mean, and, he hoped, a false Idea of our naval Strength. He said he could not but think it strange, that any Member of that House, especially one who had such a Share in the Administration, should suppose, or desire that House to insinuate, as if this Nation, which had always been looked on as the greatest maritime Power in *Europe*, should not be able to protect both its Trade and Dominions, against *Spain*, which was now the weakest maritime Power in *Europe*. Then he proceeded to shew, that if we were under any Fears of having our Dominions attacked either at Home or Abroad, those Fears must be chimerical; and that Cruisers were rather more necessary than Convoys; because if we had a sufficient Number of Cruisers at Sea, and all properly stationed, the Enemy's Privateers would run such a Risk of being taken, that none of them would be fitted out; for as all Privateers were fitted out by Adventurers, no Man would be concerned in the Trade, if he run a greater Risk of losing, than of getting any Thing by his Adventure.

The other Gentlemen that spoke in this Debate, were *Thomas Winnington*, Esq; *Sir Charles Wager*, and *Horatio Walpole*, Esq; all in Favour of the Amendment; but as the Amendment was not directly opposed, there was no regular Debate, and the Amendment being agreed to, the Motion so amended was agreed to without a Division.

Accordingly, the Address was presented to his Majesty, and next Day Mr. Comptroller reported his Majesty's Answer, which was as follows: ‘*All possible Care has been taken in carrying on the War against Spain in the most proper and effectual Manner, and at the same Time for protecting the Trade of my Subjects; and you may be assured, that the same Care shall be continued.*’

Tuesday, the 15th of April, being the Day appointed by the House of Lords, for taking the State of the

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Nation

Nation into Consideration, and the House being summoned for that Purpose, the Lord Batburſt stood up, and moved their Lordships to resolve, ‘ That the unexpected Success of Vice-Admiral Vernon in taking *Porto-Bello*, with 240 Land Forces furnished him by the Governor of *Jamaica*, shewed, that if a sufficient Body of Land Forces, under expert Officers, had been sent to the *West-Indies* about the Time he sailed from *England*, it would not only have rendered the taking of that Place certain and infallible, but would probably have been attended with other successful Events ; and that therefore the not sending a Body of Land Forces about that Time to the *West-Indies*, was a manifest Piece of Ill-Conduct in the Prosecution of this just and necessary War.’

In Favour of this Motion, it was said, that if all the Papers which had been called for, had been laid before the House, and which upon that Occasion ought to have been laid before them, many other Pieces of ill Conduct would have appeared, and even this against which the Motion was directed, would probably have been made appear by express and particular Proofs, as well as by the general State of Things; but as all Lights into our late Conduct had been denied, they were obliged to confine themselves to one Piece of wrong Conduct which stood in need of no particular Proof, but was made evident by what had happened and was publickly known. Mr. Vernon’s Succes at *Porto-Bello*, with such an insignificant Land Force, and even that not provided by our Ministers here, was an evident Proof, that the Enemy was in no Condition to resist us in the *West-Indies* at the Beginning of the War; for as *Porto-Bello* was the Place where they might most probably expect an Attack, from their not being provided at that Place to withstand so small a Force, it was to be presumed, they were equally unprovided at every other. Therefore it was apparent, that if we had sent but 3 or 4000 of our Land Forces along with him, or soon after him, he might have pushed his Succes much farther, and more to the Advantage of his Country; and consequently it was apparent, that our not sending a Number of Land Forces to the *West-Indies* at the very Beginning of the War, was a Piece of ill Conduct, unless it could be made

made appear, that it was impossible for us to send any at that Time, which they were sure was not to be presumed, considering the Number of Land Forces we had then on Foot, and the vast Number of Merchant Ships we have always ready for Service in the several Ports of this Kingdom. The Presumptions, they said, being thus so strong against our Conduct, and not one Presumption in it's Favour, the Proof was thereby thrown upon our Ministers; for unless they could shew and fully prove some secret Circumstances which would have made it imprudent for them to send any Troops out of the Kingdom, their Conduct would be condemned by the whole World, and ought to undergo some Sort of Censure in that House.

It was answered, That the Motion was in Effect an Impeachment against every one of those that had the Honour to be concerned in his Majesty's Councils. That their Lordships had a Right, and ought to impeach the highest Subject in the Kingdom, if they thought he deserved it. That any Lord in that House might stand up in his Place, and impeach any Man, or any Minister, when he thought him guilty of any Crime or Misdemeanor; but surely their Lordships would not condemn him, without giving him an Opportunity to be heard in his Justification; nor would they censure the Conduct of an Administration, without some previous Inquiry into their Conduct. If their Lordships had set on Foot an Inquiry into the Conduct of the Administration, with respect to the Prosecution of the War in the *West-Indies*, such a Motion as was then before them might have been the Consequence of that Inquiry, and their Lordships might perhaps have found Reason for agreeing to it; because our Ministers would then have had an Opportunity of shewing, why they did not send any Land Forces to the *West-Indies* at the Beginning of the War; and if they could not shew a good Reason for their not doing so, their Conduct would have deserved such a Censure; but to pass such a Censure by a single Vote, and as it were *per saltum*, would certainly be the same with condemning a Man without hearing him, which was a Practice, they hoped, their Lordships would never give a Precedent for.

That in all such Cases, every Lord was to judge of the Conduct of the Administration according to his own Opinion, and whatever other Lords might think, it was their Opinion, that it would have been very imprudent, if not worse, to have sent any of the Troops out of the Kingdom, till new Troops were not only levied but disciplined, for supplying the Place of those sent out, because, at the Beginning of the War, we had no greater Number of Troops in the Kingdom, than what had been thought necessary by Parliament for our Security at Home in Time of Peace; and consequently if they had been honoured with being consulted by his Majesty upon that Head, they should have thought themselves guilty of High Treason, had they advised his Majesty to send any of those Troops out of the Kingdom in Time of War, which the Parliament had thought necessary for our Security in Time of Peace. That it was true, we had no great Reason to fear any Invasion from Spain, but there was another and a more formidable Power, the Continuance of whose Friendship we had no great Reason to trust to, when we were at War with Spain; and if that Power had resolved to declare against us, they would certainly have begun the Attack by invading us here at Home, with the *Pretender* at their Head, especially if we, by sending our Troops out of the Kingdom, had given them Reason to hope for Success. That this Misfortune had been prevented, nay perhaps that Power's declaring against us had been prevented, by the wise Measures our Ministers had pursued; but if they had followed other Measures, this Misfortune might perhaps have been the Consequence, and if it had, our Ministers would then certainly, and with much more Justice, have been blamed for exposing us to the Danger.

It was farther said, That the Motion was a long complicated Motion which they could not well understand, and therefore they could not agree to it. Particularly the Words, certain and infallible, were in their Opinion inconsistent with common Sense. Certain and infallible were Epithets not applicable to any human Event: They were applicable to nothing but the Operations of the Omnipotent Power; and if it should be said, that by certain and infallible was meant only more certain and infallible, even in that Sense, they would be
improper,

improper, because nothing could be more certain and infallible than an Event that had already happened.

Upon the other Side it was replied, That the Motion before them was no Impeachment, nor so much as a Censure against any one Minister, or any one Man in the Kingdom. It was nothing but their Lordships giving their Opinion as to a Fact, according to the Light in which it appeared to them; and according to that Light, whatever their Lordship's might do, the Fact was and would be condemn'd by the whole World. That in all such Cases their Lordships might give their Opinion, without any Inquiry; and in the present Case an Inquiry would be ridiculous. What were they to inquire about? Were they to inquire, if Admiral *Vernon* had any Land Forces sent him from this Kingdom? Or were they to inquire, If he could not have done more Hurt to the Enemy, and more Service to his Country, with 3 or 4000 regular Troops, than he could do with none at all? Surely, it would be ridiculous to set up an Inquiry into either of these Facts, which were known to the whole World, and confessed by every Man that could possibly think himself affected by such a Resolution. Their Lordships were not upon that Motion to inquire, or to give their Opinion upon the Question, why no Land Forces were sent to the *West-Indies*: They were then to give their Opinion upon the known and general Appearance of Things: There might be secret Reasons for not sending any Forces to the *West-Indies*, and an Inquiry into those Reasons, might probably be the Consequence of that Motion's being agreed to, which, they believed, was the chief Cause of it's being opposed. If that Motion should be agreed to, it was very natural to suppose, that some Lord in that House would rise up, and move for addressing his Majesty to know who it was that advised him not to send a Body of Land Forces along with, or soon after Admiral *Vernon*; and of Course his Majesty's Answer would produce an Inquiry, why that Minister gave such Advice to his Sovereign. Then, indeed, the Affair would become personal, and the Person or Persons accused would have an Opportunity to vindicate themselves. They would be no Way affected by the Resolution now proposed, because it is in it's own Nature conditional; and if they

could shew such secret Reasons for their giving that Advice, as should be approved of by their Lordships, they would be within the Condition.

But this, they believed, was what the Person who gave that Advice was afraid of. He was sensible he had no such Reasons as would be approved of by that House, or by any unprejudiced Man in the Kingdom. At least they were very sure, that the Reason hinted at in that Debate, was no sufficient Reason for our neglecting to take Advantage of the Enemy's defenceless Condition in the *West-Indies* at the Beginning of the War. Suppose the Minister had at that Time had certain Information, that *France* designed to invade us: Was that a Reason for our keeping all our regular Troops, and the greatest Part of our naval Force at Home, at a Time when we might have reaped so much Advantage by sending them Abroad. Should that be admitted, *France* might do more Service to *Spain*, and more Prejudice to us, by not declaring than she could do by declaring openly against us. By not declaring openly, but at the same Time keeping us under the Terror of an Invasion, she might prevent our attacking the Enemy with any Vigour in their own Dominions, without which we can never bring the War to a Period that can be either honourable or advantageous for this Nation; and by pursuing her own Trade in Security, whilst ours lay exposed to all the Misfortunes and Inconveniences of War, she might do us more Prejudice than she could do by declaring openly against us. In a few Years, our Finances would be so much exhausted, our People so much oppressed and discontented, and our Trade so much diminished, that we should become an easy Prey to any foreign Invader; because the Majority of our own People would join with any such Invader, in order to get rid of a Government that had brought such Ruin upon them.

It was a Mistake, they said, to suppose, that the Parliament had ever thought 30,000 regular Troops was the least Number that could be kept up within *Britain* and *Ireland*, merely for our Safety at Home in Time of Peace. The Reason for keeping up that Number, and the chief Reason always assigned to Parliament for keeping up that Number, was, that we might be able to

send a Part of them to the Assistance of our Allies in Case of Need; and as none of our Allies had Occasion for any of our Troops at the Beginning of this War, we might therefore have sent a Part of them out, for attacking the Enemy in the *West-Indies*. It would have been so far from High-Treason to have advised his Majesty to do so, that if they had had the Honour to be of his Majesty's Council, when the Matter was under Deliberation, they should have thought themselves guilty of High-Treason, if they had not advised him to send out at least 3000 of his Troops for attacking the Enemy in the *West-Indies* at the very Beginning of the War. So far from being terrified from doing so by the Fears of an Invasion, either from *France* or *Spain*, that in Case any such Thing had been threatened, they should have advised it's being done with the more Expedition, because it has always been an established Maxim, that the best Way of keeping or removing the War from your own Doors, is to carry it to those of the Enemy.

As to the Objection made to the Words certain and infallible, it was answered, that when People talked of human Events, and made Use of the Words certain and infallible, they could not be supposed to mean any more than as certain and infallible as any Event could be. They were inserted by Way of Opposition to the Word unexpected, and plainly related to the Time before that Expedition was undertaken, when the Success was so far from being as certain and infallible as any human Event could be, that if Mr. *Vernon* had had an active and resolute Enemy to deal with, his Repulse would have been much more certain and infallible than his Success. Nay probably, he would not have undertaken the Expedition; for they believed no Minister in *England* would avow his having given express Orders to Admiral *Vernon* to attack that, or any other Place in the *West-Indies*, since he was not provided with any Sort of proper Force for that Purpose. The Objection therefore was, they said, a mere toying with Words, which was a Method of arguing they were surprised to hear made Use of in that House.

The Question being at last put for agreeing to the Motion, it was carried in the Negative by 62 Contents

to 48 not Contents; and the chief Speakers in the Debate were as follows, *viz.*

For the Motion.	Against it.
The Lord Bathurst,	The Lord Delawar,
Earl of Chesterfield,	Earl of Cholmondeley,
Duke of Argyle,	Duke of Newcastle,
Earl of Abingdon.	Lord Chancellor,
	Earl of Ilay.

Thus I have, I think, given some Account of all the very remarkable Affairs that happened in the last Session of Parliament; and shall conclude with a List of the Publick Acts passed in that Session, and his Majesty's Speech at the End of it.

Laws passed in this Session. The Publick Bills passed into Laws were intituled as follows, *viz.*

- “ 1. An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of Great Britain called England, and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of Great Britain called Scotland for the Service of the Year 1740.
- “ 2. An Act for granting an Aid to his Majesty by a Land Tax, to be raised in Great Britain for the Service of the Year 1740.
- “ 3. An Act for the better Supply of Mariners and Seamen, to serve in his Majesty's Ships of War, and on board Merchant Ships, and other trading Ships, and Privateers.
- “ 4. An Act for providing a Marriage Portion for the Princess Mary.
- “ 5. An Act for the more effectual securing and encouraging the Trade of his Majesty's British Subjects to America; and for the Encouragement of Seamen to enter into his Majesty's Service.
- “ 6. An Act for naturalizing such Foreign Protestants, and others therein mentioned, as are settled or shall settle in any of his Majesty's Colonies in America.

“ 7. An

" 7. An Act for punishing Mutiny and Desertion,
" and for the better Payment of the Army and their
" Quarters.

" 8. An Act to explain and amend an Act made in
" the first Year of the Reign of her late Majesty Queen
" Anne, intituled, An Act for the more effectual pre-
" venting the Abuses and Frauds of Persons employed
" in the working up the Woolen, Linen, Fustian,
" Cotton, and Iron Manufactures of this Kingdom ;
" and for extending the said Act to the Manufactures
" of Leather.

" 9. An Act to indemnify Persons who have omit-
" ted to qualify themselves for Offices and Employ-
" ments within the Time limited by Law ; and for al-
" lowing further Time for that Purpose.

" 10. An Act for repairing the Road between *Hock-*
" *liffe* in the County of *Bedford*, and *Stony Stratford* in
" the County of *Buckingham*.

" 11. An Act for making more effectual three se-
" veral Acts of Parliament, one of the sixth Year of the
" Reign of her late Majesty Queen *Anne*, and another
" of the eleventh Year of the Reign of his late Ma-
" jesty King *George*, for repairing the Highways from
" *Old Stratford*, in the County of *Northampton*, to
" *Dunchurch* in the County of *Warwick*, and the third
" made in the tenth Year of his present Majesty's
" Reign, for making more effectual the said two for-
" mer Acts.

" 12. An Act for the more effectually improving the
" Navigation of the River *Dun*, from a Place called
" *Wilfick-House*, in the Parish of *Barnaby-Dun*, in the
" County of *York*, to *Fishlock-Ferry*, in the same County.

" 13. An Act for making a Chapel, lately built by
" *Robert Downes*, Goldsmith, and others, in the Town
" of *Sheffield* in the County of *York*, a perpetual Cure
" and Benefice ; and for making a Provision for the
" Maintenance of the Curate or Minister of the said
" Chapel, pursuant to an Agreement for that Purpose.

" 14. An Act for granting to his Majesty the Sum of
" one Million out of the Sinking Fund, for the Service
" of the Year one thousand seven hundred and forty ;
" and for enabling his Majesty to raise the further Sum
" of two hundred thousand Pounds out of the growing

“ Produce of the said Fund; and for granting to his
“ Majesty the Sum of twenty-one thousand Pounds one
“ Shilling and eight Pence Halfpenny, remaining in the
“ Receipt of his Majesty’s Exchequer, arisen by Sale of
“ Lands in the Island of St. Christopher; and for the
“ further appropriating the Supplies granted in this Ses-
“ sion of Parliament.

“ 15. An Act for continuing the several Laws there-
“ in mentioned relating to the Premiums upon the
“ Importation of Masts, Yards, and Bowsprits, Tar,
“ Pitch, and Turpentine; to British-made Sail Cloth,
“ and the Duties payable on foreign Sail Cloth; to the
“ Greenland and to the Whale Fishery: for granting a
“ further Bounty for all Ships employed in the Whale
“ Fishery during the present War; for exempting Har-
“ poneers and others employed in the Greenland Fi-
“ shery Trade from being impressed; and for giving
“ further Time for the Payment of Duties omitted to
“ be paid for the Indentures and Contracts of Clerks
“ and Apprentices.

“ 16. An Act for prohibiting Commerce with Spain.

“ 17. An Act for amending and enforcing the Laws
“ relating to Rogues, Vagabonds, and other idle and
“ disorderly Persons; and for reducing the same into
“ one Act of Parliament; and also for amending the
“ Laws for erecting, providing, and regulating Houses
“ of Correction.

“ 18. An Act to restrain and prevent the excessive
“ Increase of Horse Races, and for amending an Act
“ made in the last Session of Parliament, intituled, An
“ Act for the more effectual preventing of excessive and
“ deceitful Gaming.

“ 19. An Act for further and more effectually pre-
“ venting the wilful and malicious Destruction of Col-
“ lieries and Coal Works.

“ 20. An Act to continue several Laws therein men-
“ tioned (for punishing such Persons as shall wilfully
“ and maliciously pull down or destroy Turnpikes for
“ repairing Highways, or Locks, or other Works, erect-
“ ed by Authority of Parliament, for making Rivers
“ navigable; for preventing Exactions of the Occupiers
“ of Locks and Wears upon the River of Thames
“ westward, and for ascertaining the Rates of Water-

“ Carriage

“ Carriage upon the said River; for preventing frivolous and vexatious Arrests; and for better securing the lawful Trade of his Majesty’s Subjects to and from the *East Indies*, and for the more effectual preventing all his Majesty’s Subjects trading thither under foreign Commissions:) and for limiting the Time for suing forth Writs of *Certiorari* upon Proceedings before Justices of the Peace, and for regulating the Time and Manner of applying for the same; for the better and more speedy Execution of Process within particular Franchises or Liberties; and for extending the Powers and Authorities of Justices of the Peace of Counties, touching County Rates, to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves.

“ 21. An Act for the Increase of Mariners and Seamen to navigate Merchant Ships, and other trading Ships or Vessels.

“ 22. An Act for more effectually preventing fraudulent Qualifications of Persons to vote as Freeholders, in the Election of Members to serve in Parliament for such Cities and Towns, as are Counties of themselves, in that Part of *Great Britain* called *England*.

“ 23. An Act for confirming and enlarging the Powers granted by his Majesty to the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children by his most gracious Charter, bearing Date the seventeenth Day of *October*, in the Year of our Lord 1739; and to enable them to execute the good Purposes of the said Charter.

“ 24. An Act to give further Power to the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore in the County of *Surry*; and to enable them to raise a further Sum of Money towards finishing the said Bridge, and to perform the other Trusts reposed in them.

“ 25. An Act for the more effectual Maintenance and well keeping of *Staines Bridge* and *Egham Causeway*, being the Highway from *London* to the West Parts of *England*.

“ 26. As

" 26. An Act for enlarging the Term and Powers
" granted and given by an Act passed in the tenth Year
" of the Reign of his late Majesty King *George* the
" First, intituled, An Act for repairing the Road lead-
" ing from *Dunchurch* in the County of *Warwick*, to
" the Bottom of *Meriden Hill* in the same County ;
" and for making the said Act more effectual.

" 27. An Act for continuing and making more ef-
" fectual, an Act passed in the fifth Year of the Reign
" of his late Majesty King *George* the First, for repair-
" ing the Roads from the Top of *Stoken Church Hill*
" to *Enslow Bridge*, and the Road from *Wheatley Bridge*,
" through the City of *Oxon*, by *Begbrook*, to *New
Woodstock* in the County of *Oxon* (except the Mile
" Way on each side of the said City) and for repairing
" the Road from the *Crown Alehouse* to the Turnpike
" on *Stoken Church Hill* aforesaid.

" 28. An Act to revive, explain, and amend an Act
" made in the sixteenth and seventeenth Years of the
" Reign of his late Majesty King *Charles* the Second,
" intituled, An Act for making the River of *Medway*
" navigable in the Counties of *Kent* and *Suffex*.

" 29. An Act for making more effectual two Acts
" of Parliament passed in the seventh and tenth Years
" of her late Majesty Queen *Anne* for preserving and
" enlarging the Harbour of *Whitehaven* in the County
" of *Cumberland*; and for repairing and amending the
" high Roads leading to the said Harbour and Town
" of *Whitehaven*.

" 30. An Act for further enlarging the Term grant-
" ed by an Act of the ninth and tenth Years of the
" Reign of King *William* the Third for cleansing and
" making navigable the Channel from the *Hithe* at
" *Colchester* to *Wivenhoe*; and for making the said Act
" and another Act of the fifth Year of the Reign of
" his late Majesty King *George* the First, for enlarging
" the Term granted by the said Act of the ninth and
" tenth Years of the Reign of King *William* the Third,
" more effectual."

Besides these there were 19 Private Bills passed.

And upon *Thursday* the 29th of *April*, his Majesty
concluded the Session with the following most gracious
Speech from the Throne, viz. My

My Lords and Gentlemen,

THE Zeal, which you have shewn for the Support and Prosecution of the just and necessary War, in which I am engaged, is a fresh Proof of your Concern for the Honour and Interest of my Crown and Kingdoms. As this great and national Undertaking is the principal Object of our Attention and Expectations; so the Justice of our Cause, and the Success which has hitherto attended my Arms, give us the most reasonable Hopes, that, by the Continuance of the Divine Assistance, we may see a happy Issue of it.

His Majef-
ty's Speech
at the End
of the Sef-
sion.

Gentlemen of the House of Commons,

I thank you for the effectual Supplies, which you have granted me for the Service of the current Year. The best Return I can make, is, to assure you, that they shall be duly employed to the Purposes, for which they were given.

My Lords and Gentlemen,

I have formerly recommended to you Union amongst yourselves, as being highly conducive to the carrying on this great Work with Honour and Advantage, and to the more speedy obtaining of all possible Justice and Satisfaction from the Crown of Spain, for the many grievous Injuries suffered by my Subjects, and effectual Security for the Freedom of our Commerce and Navigation for the future. I do now earnestly exhort you to promote and extend that Union in your respective Countries. Let the Support of the common Cause of the Nation prevail, to attain this desirable End. Our Enemies must already have been made sensible, in some Degree, of the Weight of our just Resentment. They see my Kingdoms in such a Posture of Defence, as must render all Attempts from them, without Encouragement from amongst ourselves, vain and desperate. They see the Trade and Navigation of my Subjects protected, as far as the Nature and Circumstance of a maritime War will pos-
sibly

' sibly admit ; and, at the same Time, the most valuable Branches of the *Spanish Commerce* greatly interrupted, and subjected to many Difficulties and Losses. From these happy Effects of my early Endeavours, and your ready Concurrence, at the first Entrance into the War, I cannot but hope, that the Preparations, which I am now making for carrying it on in the most proper Places, and in the most vigorous and effectual Manner, will be blessed with Success, equal to our just Expectations.

After which the Lord Chancellor, by his Majesty's Command, prorogued the Parliament to *Tuesday* the 3d of *June* then next.



C H A P. II.

An Account of the most remarkable domestick Occurrences relating to the Publick in general.

Accounts of
Admiral
Haddock's
Squadron.

ACCORDING to the Method observed in my Annals for the preceding Year, I shall begin this Chapter with the History of our War with *Spain*, as being the Business of greatest Importance relating to the Publick in general. The principal warlike Operations on our Part, here in *Europe*, consist in the sailing or returning of Squadrons, and therefore I shall begin with that under Admiral *Haddock*, which had been stationed before *Cadiz* during the Summer, and retired during the Winter to *Gibraltar Bay*; but as the large Ships could not be cleaned and refitted at that Place, upon the 11th of *February*, the Admiral himself sailed from *Gibraltar* for *Portmahon*, with such of the Ships as stood most in need of being refitted, leaving Sir *Chabloner Ogle* with the rest of the Squadron at *Gibraltar*, to have an Eye upon the *Spanish* Squadron then preparing at *Cadiz*. If Sir *Chabloner* had continued in this Station,

Station, it is highly probable the Spanish Squadron would not have ventured out of that Port; but by Orders from hence he was likewise obliged to sail, with the rest of the Squadron, for *Portmahon*, upon an Apprehension that the Spaniards were going to attack that Place, though by all Publick Accounts from the Ports of *Spain* in the *Mediterranean*, they seemed to be in no readiness to make such an Attempt, as required our whole Squadron to prevent it.

Upon this the Spanish Squadron at *Cadiz* made all things ready for sailing, with as much Dispatch as they were capable of; and accordingly sailed from *Cadiz* about the End of *March*; after which we had no occasion for so numerous a Squadron of large Ships in the *Mediterranean*, therefore Sir *Chaloner Ogle* was dispatched home with nine Sail of men of War, and arrived at *Spithead* the 7th of *July*.

During the rest of the Summer Admiral *Haddock* kept cruising between *Minorca* and the Coasts of *Spain*, without doing any Damage to the Enemy, except taking some of their small Craft, and two of the Ships employed in transporting Troops and warlike Stores from *Barcelona* to *Majorca*. However, the Admiral, in the mean Time, employed the small Ships he had along with him to the best Advantage for protecting our Trade in the *Mediterranean*; and towards the End of the Year had a Letter of Thanks sent him by some of our Merchants for his Care in this respect; but who they were, or what their Numbers were, that signed this Letter, I have not heard; nor did I hear that they sent him any Piece of Plate, by way of Present, as is usual upon such Occasions.

During the Spring and most part of the Summer of this Year, we had a Squadron of large Ships under the Command of Vice Admiral *Balchen* cruising in the Bay of *Biscay*, and off *Cape Finisterre*, but they had not the Fortune to meet with the Spanish Squadron from *Cadiz*; however, they were not without some Success; for on *Tuesday* the 8th of *April*, the *Lenox*, Commodore *Mayne*; the *Orford*, Lord *Augustus Fitzroy*; and the *Kent*, Captain *Durall*, being on a Cruise in the Bay of *Biscay*, about nine in the Morning they saw a Sail, whereupon the Commodore gave Orders for chas-

Account of
Admiral
Balchen's
Squadron.

sing, and about Noon they came up with her. As she was a *Spaniſh Man of War* of great Force, a smart Engagement began, which lasted till after Six in the Evening, in which the *Lenox* gave her the first Broadside, and the *Kent* was for two Hours engaged Yard Arm to Yard Arm; but my Readers may perhaps be glad to see a Description of this Engagement in the Sea Stile, and therefore I shall give them the following Letter from on board the *Orford*:

' At nine saw a Sail, gave chace, came up with her, and found her to be a *Spaniſh Man of War* of 68 Guns, and 600 Men, called the *Princessa*; at eleven we began to engage the *Spaniſh Ship* on her Starboard Quarter, about half a Cable's distance. The *Lenox* gave her first fire about a quarter of a Mile on his Weather Beam; the *Kent* run then pretty close to Leeward, and gave him her Broadside, some of whose Shot flew very near us. We exchanged three Broad-sides, at which time the Main-Brace Bowlings and Main-Topmast Stay, being shot away, and we bringing the Ship to the Wind to fire the third Broadside, the Main-Top Sail flew back, which occasioning the Ship to face a Stern, we put our Helm to Weather, and were so lucky as to take him fore and aft, with our Starboard Guns, and afterwards hawled our Wind again, and before we fell out of Gun-shot, exchanged another fire with them. The *Lenox* had by this Time stretched a-head and tacked, and came and gave her Broadside passing him, which brought down her Fore-top-Mast. The *Kent*, who had gone before the *Lenox*, tacked and run on the *Princessa*'s Larboard Quarter, and shot down her Ensign Staff, and were again a-stern of him. We by this time clew'd our Main-Topsail up, and reev'd new Maintop Bowlines, and hawl'd our Main-Tack on board, and shot out by him and exchanged our Fires, though at a great Distance; as soon as we had got far enough a head to weather him, we tack'd and gave him our Starboard Broadside, within Pistol shot of his Weather Bow passing him, which he returned: As soon as we got two Cables length a-stern, we tack'd again, and run up close under his Stern, and gave him our Larboard Fire,

Fire, and shot out a-head on his Larboard Bow, where we backed our Main-Tops and sail'd; the *Lenox* shooting away our Foretop Gallant Mast. The *Kent* stood a-head of us towards the *Spaniards*, upon which we filled and tacked again; as soon as we found we could weather her, which we barely did, and exchanged our Fires, in which he so shatter'd our Rigging, and splinter'd our Bowsprit, Fore-Mast and Fore-Yard, that we were obliged to lay by for half an Hour; The *Kent* followed us and gave his Fire likewise on his Weather-Bow; then we fill'd, set our Fore-sail, and stood after him, and upon our coming about Musket-shot from him, he struck his Colours. We sent our Boats aboard and hoisted an *English* Jack on the Remains of the Ensign Staff; the Captain sent to desire Lord *Augustus* to come on board and receive his Commission, which he did accordingly.

In the Engagement the *Orford* and *Kent* had each about eight Men killed, the *Lenox* one, and about forty wounded in the three. The *Spaniards*, when they surrendered, had no more than thirty-three Men killed, and about one hundred wounded; but the Ship had lost her Main-mast, Mizen-mast, and Fore-Top-mast, so that it was impossible for her to escape, and therefore in vain to hold out any longer. The Ship was named the *Princesa*, and was one of the finest Ships belonging to *Spain*, made for carrying 90 Guns, but had only between 70 and 80 mounted, with 700 Men on board. her Guns were very large, and most of them Brass; and she was of the following Dimension, viz. Breadth by the Beam 50 Foot 4 Inches, and 152 long by the Keel. She was 166 Foot 3 Inches on the Gun Deck, and drawed 26 Foot Water abaft, and 23 and a half before, being thus every way larger than our first Rates. The Ship had but just sailed from *Ferrol*, and was commanded by *Don Parlo Augustino de Gera*, but whither bound was not said.

Soon after the Beginning of the Summer Preparations began to be made for sending a Squadron upon a secret Expedition, under the Command of Commodore *Anson*, and it was publickly talk'd, that this Squadron was designed for the *South Sea*, which Report was probably

Commo-
dore *Anson's*
Squadron.

bably founded upon the Nature of the Preparations ; but for what Reasons I do not certainly know, and shall not record the Chit Chat I have heard, this Squadron did not sail till the 18th of September, when Commodore *Anson* sailed from St. Helen's with the *Centurion* of 60 Guns, the *Gloucester* and *Sovern* of 50 Guns each, the *Pearl* of 40 Guns, the *Tryal Sloop*, and some Store-ships, all with the highest Complement of Men, besides some Land Soldiers on board. On the 28th of October he arrived at *Madeira*, where he staid some time to refresh his Men, and to take in fresh Provisions ; and Capt. *Norris*, who commanded one of the Men of War, resigned his Command, and returned to *England*.

*Sir John
Norris's Ex-
pedition.*

In the Month of June a strong Squadron of large Ships was prepared to be sent upon a secret Expedition, under the Command of Sir *John Norris*; and as the Duke of *Cumberland* resolved to accompany him in this Expedition, his Royal Highness set out from St. James's on the Fourth of July, and arrived at *Portsmouth* the same Day. After reviewing the *Marines* in the *Isle of Wight*, he went on board the Admiral's Ship, the *Victory*, a first Rate of 112 Guns, where the great Cabin was prepared for his Reception. On the 10th of July this formidable Squadron, consisting of between 20 and 30 of the stoutest Ships in the *British Navy*, sailed from St. Helen's, with a great Number of Merchant Ships, which this Squadron was ordered to convoy; but the Wind turning contrary, they were obliged to put back. On the 14th they sailed again, and met with the same fate. In a few Days after they sailed again, but the Wind turning contrary, and blowing hard, the *Lion* run foul of the *Victory* in the Night Time, and very much damaged her Head, so that the whole Fleet was obliged to return to St. Helen's, and the *Victory* was carried into Dock to be refitted, which our Dealers in Omens looked upon as a bad Omen with respect to our Success in this War, because the *Lion* is a Part of the Arms of *Castile*, the chief Kingdom of *Spain*. Upon the *Victory's* being thus disabled, Sir *John Norris* hoisted his Flag on board the *Boyne*, carrying his Royal Companion along with him, and the Fleet sailed again on the 22d, but meeting again with contrary Winds, it was obliged to put in to *Torbay*, from whence Sir *John* sailed

sailed several Times, but could never go out of the Channel, though some of the Merchant Ships under his Convoy pushed on, and having weathered the Land proceeded on their respective Voyages, and arrived safe at their designed Ports.

Whilst this Fleet lay at *Torbay*, a Spanish Privateer, in the Disguise of a French Fishing Boat, had the Impudence to come and sell them the Brandy she had on board; and after having disposed of her Cargo, she sailed and made Prize of a *Tinmouth* Brigantine, even in Sight of our Men of War, which she carried safely off, after having put her Crew into their own boat, with leave to return home, which they did, within eight Hours after their sailing out of *Tinmouth*.

At last this formidable Squadron was ordered to return to *Portsmouth*, which they did about the 8th of September, and his Royal Highness and Sir John *Norris* returned to Town upon the 13th of the same Month.

Lord Cathcart's Expedition.

As every Man was of Opinion that the most proper Place for pushing the War against *Spain* was in the *West Indies*, and as there was a general Complaint that it was not begun by a vigorous Blow in that Part of the World, our Government began early in this Year, or rather before the End of the former Year, to hire Merchant Ships for transporting Troops to the *West Indies*, and what was most extraordinary, it was done in such a publick manner, that the whole World, both abroad and at home, was apprised of it, as if we had thereby intended to give the Enemy notice to prepare for their Defence in that Part of the World. However, as it was resolved to send few or none of our old Regiments thither, and as new Regiments could not be soon raised and disciplined, those Troops were not ready to embark till the Month of *July*, when they had all repaired to and incamped in the *Isle of Wight*; and upon the 15th of that Month, the Lord *Cathcart*, who was to have the chief Command of the Expedition, set out for *Portsmouth*. About the End of the Month of *July*, and beginning of *August* the Troops were all embarked on board the Transports; and on the 23d of *August* the whole Fleet sailed from *St. Helen's* under the Command of Admiral *Balchen*, but meeting with a contrary Wind,

Wind, they were obliged to return on the 25th. September the 4th this Fleet sailed again, and had a worse fate than before; for the Wind shifting to the West in the Night Time, and blowing hard, they were obliged to tack about, and in tacking some of the Ships run foul of one another, by which some Damage was done, so that the whole Fleet was obliged to return to St. Helen's. Though this seemed to be bad Luck, yet it is highly probable, that it was fortunate for the Nation as well as this Fleet; for before this Time both the French Squadrons from *Brest* and *Toulon* had sailed for the *West Indies*, and very probably had private Orders to have spoke with our Fleet, if they had found a favourable Opportunity for attacking them, which they could hardly have missed, if our Fleet had proceeded on it's intended Voyage, with the small Convoy then designed; for Admiral *Balchen* had but one third Rate, five fourth Rates, and one sixth Rate; and indeed it is surprising that such a small Convoy should have been ordered, when we knew that the *Spaniards* had a Squadron at *Ferrol*, and the *French* one at *Brest*, and another at *Toulon*, all ready to sail, and each of them separately too strong for the Convoy we had ordered.

At last, however, we heard of the sailing of these three Squadrons, and all of them supposed to be designed for the *West Indies*; and Sir *John Norris* being returned from his intended Expedition, Sir *Chaloner Ogle*, who had been along with him, was ordered to attend our Transports to the *West Indies*, with a proper Convoy; but this occasioned what I may call a long Delay, considering the Season of the Year; for the Fleet did not sail from St. *Helen's* till the 26th of *October*, when they met with a fair Wind which carried them out of the Channel; but on the 31st of *October* the Fleet being then 70 Leagues to the Westward of the Start, and in Latitude 47, 54, they met with a Storm, which disabled the *Buckingham*, the *Superbe*, and the *Prince of Orange*, so that the first was obliged to return to *Spithead*, and the other two to make the best of their way to *Lisbon*, being convoyed thither by the *Cumberland*. The Misfortune these Ships met with, was said to be owing to the Newness and Stiffness of their Sails, which did not easily ply with the Wind, and therefore bore

bore so hard upon their Masts as to break or spring them; for none of the Transports suffered any Damage, and therefore the Fleet proceeded on it's Voyage, and was seen passing by the *Madeiras* on the 26th of November.

The following is a List of the Men of War, &c. that sailed, as I have said, from St. Helen's on the 26th of October, along with the Transports for the *West Indies*.

<i>Ships Names.</i>	<i>Captains.</i>	<i>Men.</i>	<i>Guns.</i>
Russel,	Sir Chaloner Ogle, Norris	80	600
Amelia,	Hennington,	80	600
Boyne,	Lefstock,	80	600
Carolina,	Griffin,	80	600
Chichester,	Trevor,	80	600
Cumberland,	Steuart,	80	600
Norfolk,	Graves,	80	600
Shrewsbury,	Townsend,	80	600
Torbay,	Gafcoign,	80	600
Buckingham,	Mitchell,	70	480
Orford,	Ld. Augustus Fitzroy,	70	480
Prince Frederick,	Ld. Aubery Beauclerk,	70	480
Prince of Orange,	Osborn,	70	480
Suffolk,	Davers,	70	480
Augusta,	Dennison,	60	400
Deptford,	Mortyn,	60	400
Dunkirk,	Cooper,	60	400
Jersey,	Lawrence,	60	400
Lyon,	Cotterel,	60	400
Montagu,	Chambers,	60	400
Rippon,	Jolley,	60	400
Superbe,	Hervey,	60	400
Weymouth,	Knowles,	60	400
York,	Cotes,	60	400
Lichfield,	Cleland,	50	300
HOSPITAL SHIPS.			
Princess Royal,	Tucker,	95	
Scarborough,	Carter,	95	
	P 2		FIRE

	FIRE SHIPS.	Men.
Ætna,	Fenwick,	45
Phaeton,	Kennedy,	45
Strumbolo,	Hay,	45
Firebrand,	Barnard,	45
Vesuvius,	Gay,	45
Vulcan,	Pellet,	45

And about the Beginning of *October*, the following Piece was published in the *Utrecht Gazette*, viz.

• DECLARATION to be published in America, by his Excellency Dn. Charles, Earl of Cathcart, General and Commander in Chief of all his Britannick Majesty's Troops in the Indies.

• THE King of Great-Britain, my Master, having been obliged to declare War against the King of Spain, and being determined, with the Help of Almighty God, to take Vengeance for the Insults and barbarous Depredations committed on his Subjects, by which their lawful Trade and Navigation were unjustly interrupted; has ordered me to invade, attack and bring under his Dominion such Colonies, Castles, Places, and Kingdoms or Provinces belonging to the said King of Spain as I shall think most convenient: But his Majesty being at the same Time perswaded, that the said Injuries and Depredations are much more owing to the Malice and Counsels of some particular Persons in Spain and the Indies, than to the general Inclination and Will of the Spanish Nation, between whom and his Subjects there has subsisted (except within these few Years) a Conformity of Interests and Counsels, a continual Commerce and friendly Correspondence cultivated and maintained to their mutual Benefit and Satisfaction; has, out of his Goodness, vouchsafed on this Occasion to temper the Chastisement with Mercy, and afford the Innocent an Opportunity to distinguish themselves from the Guilty: For which Purpose I have Orders from the King, my Master, to declare, as by these Presents, in his Royal Name and by Virtue of the Authority his Majesty has delegated

delegated to me, I do declare, offer and promise all Persons, *Spaniards*, *Mulattoes*, *Negroes*, *Freemen*, *Indians*, or any other Persons whatsoever, both Clergy and Laity, that those who, within a moderate Term after the Publication of this Declaration, and before any Hostility respectively committed by them against the Armies or Sea Forces of the King my Master, shall freely and peaceably submit to his Protection, his mild Administration and Government, shall be received, protected and maintained in their Lands, Houses, Possessions, and any other Effects whatever, in the same Manner as if they were his own natural Subjects; they shall also have the free Exercise of their Religion in the same Manner as they now enjoy it.

They shall be freed from Imposts, *Alcavadas*, Duties, Prohibitions, and all the other Oppressions they actually groan under from the Nature and Form of the Government established in the *Spanish Indies*. The *Indians*, in particular, shall be exempted from the royal Tributes and Services which they are subjected to; they shall have the Privilege and Right of trading directly with *Great-Britain* and all the *British Colonies* in *America*; and, in fine, upon all Occasions and in all Respects, they shall be considered, assisted, favoured and treated as the Natives of *Great-Britain*.

But on the contrary, such Persons as shall refuse, resist, or obstinately delay accepting these clement Offers, must rank themselves in the Number of the Guilty, and expect nothing but the Severities exercised in a just War, undertaken by a magnanimous Prince and an incensed Nation to revenge those undeserved Injuries and Depredations they bore with so many Years.

Whether Lord *Cathcart* had any such Manifesto along with him, I shall not pretend to say; but if he had, it is very surprising how our Enemies came to get a Copy of it; for surely we were not mad enough to have it printed here; it being impossible to guard a Press so as to prevent a Copy's being clandestinely carried out; especially when it is known, that a large Sum of Money may be got for such a Copy. And as this Manifesto

looks like our having a Design to conquer and subdue the *Spaniſh West-Indies*, the drawing up of ſuch a one, and afterwards taking no ſufficient Care to prevent it's being published, looks as if we had intended to give ſome of the other Powers of *Europe* a Reafon to be jealous of our Designs, and even to join with *Spain* againſt us. If we had by our Maniſto declared, that we intended to ſet the *Spaniards* in the *West-Indies* free from the Dominion of *Old Spain*, and affit and protect them in ſetting up a Government or Governments of their own, no other Power in *Europe* could from thence have found a Pretence to declare againſt us; and, I am ſure, it would have contributed a great deal more towards pro- curing us the Hearts and Affections of the Inhabitants, who might very probably have taken the Opportunity to have revolted from *Spain*, and ſet up ſeveral diſtinct Governments of their own, under the Protection of *Great-Britain*.

Capt. Cle-
land's Expe-
dition.

Having thus given an Account of our Squadrons, I wish I could ſay, the Operations of our Squadrons, I ſhall next give an Account of the Operations of ſome of our particular Ships of War belonging to the Navy, beginning with Captain *William Cleland* in the *Sea-Horſe* of 20 Guns, who was the firſt that shewed what Uſe a ſmall *Britiſh* Man of War might be of againſt the *Spaniſh* Privateers, of which we had the following Account in a Letter from on Board, dated *February 17th 1739-40*.

‘ We have been much fatigued for ſome Time paſt on Account of very bad Weather; but however have got ſomething to comfort us, having taken two Prizes, which we hope will turn out pretty well. We have alſo drove a *Spaniſh* Privateer ashore, and funk another; that which we drove ashore had fix Carrige, and fourteen Swivel Guns, and 100 Men, who quitted her directly. Our Captain was reſolved ſhe ſhould do no farther Mifchief to our Merchant Ships, and therefore ſent me with twenty Men to deſtroy her; we met with a very warm Reception from the Shore, where the *Spaniards* had ſome of them intrenched themſelves in the Sand, and the reſt got into a Houſe, from both which Places they made a terrible Fire upon us; but this did not hinder me from

cutting away her Masts and Rigging, and rendering her quite unfit for Service: While this was doing we had the Misfortune to lose one of our Boats, and the other not being able to come to our Assistance, we were in a terrible Dilemma, especially as we could have no Help from our Ship; but as there was no Time to be lost, we came to an immediate Resolution, one and all, to fight our Way through the Spaniards, notwithstanding the Inequality of their Numbers; in which we succeeded, after two Hours Engagement, within half Musket Shot of each other. We were all the Time exposed to their Fire, without any Shelter, and yet it pleased God not one Man was hurt, except myself, and that but slightly in the Leg; and upon a lucky Shot of mine killing their Captain, the whole Body moved off, and left us in Possession of their Arms and Ammunition; and in good Time they did, for we had but two Shot a-piece left: Had they not been a Parcel of hen-hearted, cowardly Dogs, they must have cut us all to Pieces; and so indeed it was every Minute expected by several Gentlemen of *Oporto*, who came on Horseback from thence, and saw the whole Action. We have got a good deal of Reputation by this Affair, the Gentlemen all treating us in the handsomest Manner, and are pleased to say we have done them more Service than all the Ships that have been on this Coast: It is certain, we have struck such a Terror among their Privateers hereabouts, that not one dare peep Abroad; though we are assured they are now fitting out three of considerable Force, and also a fifty Gun Ship, particularly to take us, the intended Captain having taken the Sacrament not to return without taking or sinking us; but I think he had better be absolved from it, for I am sure we fear him not; besides, should he prove too much for us, we have it in our Power to play with him, for I never saw a Ship in my Life go better than ours: We shall be on this Coast till the End of *March*, and hope between this and then to be along-side of some of them: There are several Ships loading in *Oporto*, which will be ready to-sail by that Time, and believe we shall convoy them to *Spithead*. I am, &c.'

Capt. Young's
Engage-
ment.

Another particular Engagement I think necessary to give an Account of, because it shews the Superiority of British Courage and Skill in fighting a Ship. The Bonetta Sloop, Capt. Young, in her Return from *Opere* to Plymouth, happened to meet with a large Spanish Privateer of 24 Guns and 180 Men; and though the Bonetta had but four Carriage and four Swivel Guns, and but 40 Men, yet she disdained to turn Tail, whereupon a smart Engagement ensued, which lasted upwards of four Hours, wherein the Privateer lost such a Number of Men, and received so much Damage, that she was at last glad to sheer off, and the Sloop arrived safe at Plymouth about the 22d of July.

Capt. Cowper
pertaken.

The same Privateer had but just before met with better Luck, having taken the Townshend Packet, Capt. Cowper Commander, though not till after a stout Resistance, as appears by the following Letter from the Captain, dated at St. Sebastian July 16th, N. S.

ON the 24th of June, O. S. in Lat. 48. 48. the Lizard then bearing E. N. E. Distance 62 Leagues, at seven in the Morning, at the clearing of a Fog, saw a Sail to Windward, about a League distant: I saw immediately he edged towards us, at which Time I called all Hands up, and cleared Ship, and made what Sail I could from him; but to my great Misfortune he came up with us fast; (though when we came out of Lisbon his Majesty's Snow the Fly come off the Coast with us; and we wronged him every Way) about 10 in the Morning his Chace-Guns reached us, and by half an Hour past 12 was within Musket Shot, when we began to engage, and held it till six in the Evening, the last Hour not half Pistol Shot Distance; he endeavoured to board me once, but I prevented him; I soon found him a Ship of Force, by the Volleys of small Shot I received; but all my Hopes was to dismast him; for if I had been so lucky as to have carried away a Top-mast or a Yard, I had hauled upon a Wind and got clear of him. I killed the Enemy's first Boatswain, and wounded some of his Men, at which Time they hid under the Long-Boat, wrung their Hands, and went to Prayers, and had it not been for the second Captain would have left

left me. (This one Captain Dowglass informed me, who was Aboard, taken in Lat. 49, three Days before.) I shot his Main-top-gallant-mast half through. — This was a new Ship, called *NS. del Carmes Ali-as las Animas*, mounts 24 Guns, and had on Board 20 Guns, all Six-Pounders, and four of one Pound each on the Quarter-Deck, with 180 Men, 50 of which were Soldiers for the small Arms. By this Time I had two killed, and six desperately wounded, and three Cowards that never were at their Quarters, the Gunner, one of them, who I think deserves to be hanged, for I wanted several Stores that was in his Custody; my Sails and Standing Rigging all shot to Pieces, 30 Inches Water in her Hold, and could spare no Body to pump, main Channels and every Port shot away, and the Hull beat to Pieces; and now he attempted once more to board me, and having no Strength to resist him, I ordered the Mail and my Lord's Dispatches to be thrown over-board, and then with great Regret struck, having on Board, upwards of 11000 Moidores.— This Ship is not six Months old, and has taken eight Prizes in the Channel, and near *Ireland*, and brought them into this Port of *St. Sebastian's*; here are two more of 12 Guns each; these Ships have taken already 56 Sail, most of them large Ships. My wounded Men are in the Hospital, and the others in the Castle, where there are 150 Men in one Room. I and my Mate have Liberty to lodge in the Town, but not to stir out without Leave.'

These are all the particular Engagements, of this Kind, I think necessary to take Notice of; for though there were several Privateers taken or destroyed by our Men of War, they made so faint a Resistance, when they made any, that it is not worth while to give an Account of the Engagement.

As we had no warlike Operations at Land, I shall give only the following general List of our Lands Forces and Marines, *viz.*

In GREAT-BRITAIN.

					Nº. in each Corps.
		Effec- tive private Men.	Offi- cers, etc.	Offi- cers and Men.	Total
4	Troops of Horse Guards, each	130	25	155	620
2	Ditto Grenadier Guards, each	119	31	150	300
4	{ 1st Regiment of Horse of 9 Troops, 40	{ Private	{ 67	{ 427	{ 1384
		{ Men each.		{ 409	{ 274
1	1 Ditto	9	38		
2	2 others, each	6	31		
3	Regiments of Dragoons, 6	59		228	
3	{ 1st Reg. of Foot Guards 28 Comps. 71	{ 354	{ 81	{ 4352	{ 3480
3	{ 2d and 3d ditto, each	{ 18	{ 71	{ 1988	{ 325
19	Regiments of Foot each	10	70	1278	208
6	Regiments of Marines 10	300		700	115
2	Regiment of Invalids 10	43		1000	155
25	Independ. Comp. of Invalids, each, 44			430	35
5	Ditto taken out of Chelsea, each	90		44	8
				90	52
					101
	Total in Great-Britain,	- - -	- - -	- - -	35804

In MINORCA.

5	Regiments of Foot, each 10 Companies 70 Men each	700	115	815	4075
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In GIBRALTAR.

3	Regiments of Foot, each 10 Companies 70 Men,		115	815	4075
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In IRELAND.

4	Regiments of Horse, each 6 Troops, 34 Private Men.	204	45	349	996
6	{ 1st Regiment of Dragoons, 9	{ 34	{ 81	{ 389	{ 2
	{ 5 other Regiments, each 6	{ 34	{ 204	{ 56	{ 260
20	{ Royal Regiment of Foot 20 Comps. 70	{ 70	{ 1400	{ 228	{ 1628
	{ 9 other Regiments of Foot 10	{ 70	{ 700	{ 174	{ 814
	Total in Ireland,	- - -	- - -	- - -	11639

In the PLANTATIONS.

2	Reg. of Foot in the Leeward Islands 10 Comp. 70 Men.	700	115	815	815
2	Ditt. Annapolis, Placentia, and Cano { 2	{ 302	{ 308	{ 86	{ 394
	{ 3	{ 315			
2	Ditto, Georgia, 6	100	600	84	684
2	Independ. Companies Jamaica, each	100	100	12	112
4	Ditto, New York,	99	99	12	896
2	Ditto, Bermuda,	49	49	8	444
2	Ditto, Providence,	99	99	13	57
					112
	Total in the Plantations,	- - -	- - -	- - -	3402

	Total in general	- - -	- - -	- - -	5895
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The

*The Names and Rank of the several Corps in his
MAJESTY's Army, 1740.*

(☞ The Number before each Name distinguishes the Rank.

IN G R E A T B R I T A I N.

HORSE GUARDS.

- 1 Lord *Delawarr*,
- 2 Duke of *Marlborough*,
- 3 Earl of *Albemarle*,
- 4 Lord *Shannon*, *decd.*

GRENADIER GUARDS.

- 1 Lieut. Gen. *Dormer*,
- 2 Earl of *Effingham*,

HORSE.

- 1 Earl of *Hertford*,
- 2 Earl of *Pembroke*,
- 3 Duke of *Montague*,
- 4 General *Wade*,

DRAGOONS.

- 1 Maj. Gen. *Hawley*,
- 2 M. Gen. *Ja. Campbell*,
- 3 Lt. Gen. *Honeywood*,
- 4 Sir *Robert Rich*,
- 6 Lord *Cadogan*,
- 7 Lieut. Gen. *Kerr*,
- 10 Lt. Gen. *Churchill*,
- 11 Ld. *Mark Kerr*.

FOOT GUARDS.

- 1 Sir *Charles Wills*,
- 2 Duke of *Cumberland*,
- 3 Earl of *Dunmore*,

FOOT.

- 1 Maj. Gen. *Howard*,

FOOT.

- 4 Lt. Gen. *Barrel*,
- 11 Brig. Gen. *Cornwallis*,
- 12 Lt. Gen. *Whitbam*,
- 13 Col. *Henry Pulteney*,
- 15 Maj. Gen. *Harrison*,
- 16 Maj. Gen. *Handasyd*,
- 23 Col. *Piers*,
- 6 Brig. Gen. *Guise*,
- 8 Col. *Onslow*,
- 19 Col. *Howard*,
- 21 Col. *John Campbell*,
- 24 Brig. Gen. *Wentworth*,
- 27 Col. *Blakeney*,
- 31 Col. *Wm. Handasyd*.
- 32 Col. *Descury*,
- 34 Lord *Ja. Cavendish*,
- 36 Col. *Bland*,
- 42 Earl of *Craufurd*.

INVALIDS.

- Lieut. Gen. *Fielding*,
- 25 Independ. Companies,
- 5 ditto taken out of *Chelsea*.

MARINES.

- 1 Col. *Wolfe*,
- 2 Col. *Robinson*,
- 3 Col. *Louthier*,
- 4 Col. *Wynyard*,
- 5 Col. *Douglas*,
- 6 Col. *Merton*.

In IRELAND, MINORCA, and GIBRALTAR.

HORSE.

- 5 Lord Tyroney,
6 Maj. Gen. Neville,
7 Lord Catcart,
8 Maj. Gen. Legonier.

FOOT.

- 28 Col. Bragg,
30 Lieut. Gen. Biffet,
33 Col. Johnson,
35 Maj. Gen. Otway,
37 Col. Ponsonby.

DRAGOONS.

- 5 Lord Molesworth,
8 Col. St. George,
9 Maj. Gen. Cope,
12 Maj. Gen. Bowles,
13 Col. Dalway, decd.
14 Col. Hamilton.

In MINORCA.

- 9 Brig. Gen. Read,
17 Lieut. Gen. Tyrrell,
18 Maj. Gen. Armstrong,
22 Brig. Gen. Paget,
26 Maj. Gen. Anstruther.

FOOT.

- 1 Brig. Geo. St. Clair,
5 Col. Irwin,
39 late Dalway's,
20 Col. Rose,
15 Earl of Rother,

In GIBRALTAR.

- 2 Lieut. Gen. Kirk,
5 Maj. Gen. Hargrave,
10 Lieut. Gen. Columbine,
14 Lieut. Gen. Clayton,
29 Col. Fuller.

In the PLANTATIONS. FOOT.

LEEWARD ISLANDS.

- 38 Lieut. Gen. Dalzell.

NEW YORK.

- 4 Independ. Companies.

PLACENTIA, CANO, &c.

- 49 Maj. Gen. Phillips.

BERMUDAS.

- 1 Independ. Company.

GEORGIA.

- 41 Gen. Oglethorpe.

PROVIDENCE.

- 1 Independ. Company.

JAMAICA.

- 3 Independ. Company.

The Number of Half-Pay Officers on the BRITISH
Establishment, and amount of their Pay.

No.	HORSE.	Pay of each per Day.	Total per Day.	
			I.	s.
1 Major,	— — —	0 11 6	0 11	6
1 Lieutenant,	— — —	0 5 0	0 5	0
DRAGOONS.				
3 Colonels	— — —	0 13 0	1 19	0
4 Lieutenant Colonels,	— — —	0 10 0	2 0	0
2 Majors,	— — —	0 8 0	0 16	0
29 Captains,	— — —	0 5 6	7 19	6
59 Lieutenants,	— — —	0 3 0	8 17	0
50 Cornets,	— — —	0 2 6	6 5	0
46 Quarter Masters,	— — —	0 2 0	4 12	0
5 Adjutants,	— — —	0 2 0	0 10	0
7 Surgeons,	— — —	0 2 0	0 14	0
2 Chaplains,	— — —	0 3 4	0 6	8
FOOT, INVALIDS, and MARINES.				
3 Colonels,	— — —	0 12 0	1 16	0
5 Lieutenant Colonels,	— — —	0 8 6	2 2	6
3 Majors,	— — —	0 7 6	1 2	6
102 Captains,	— — —	0 5 0	25 10	0
137 Lieutenants	— — —	0 2 4	15 19	8
102 Ensigns (and 2d and 3d Lieutenants of Marines,	— — —	0 1 10	9 7	0
15 Quarter Masters,	— — —	0 2 0	1 10	0
6 Surgeons,	— — —	0 2 0	0 12	0
4 Adjutants,	— — —	0 2 0	0 8	0
2 Chaplains,	— — —	0 3 4	0 6	8
1 Physician of the Hospital at Gibraltar,	— — —	0 10 0	0 10	0
1 Apothecary to the Forces in Flanders,	— — —	0 5 0	0 5	0
1 Deputy Commissary at Gibraltar,	— — —	0 5 0	0 5	0
591	Total per Day	— — —	94 10	0

Total for 366 Days, Anno 1740 is 34587 £

To

To this I shall add, that in order to exercise our Army at home, since we sent none of them to be exercised abroad, there were last Summer three Camps formed, one upon *Hounslow-Heath*, one near *Newbury*, and one on *Windfor Forest*. The Generals and Troops, ordered for these several Encampments were as follow, *viz.*

- ‘ Camp at *Hounslow*. Sir *Charles Wills*, General;
- ‘ Lord *Mark Kerr*, Lieutenant-General; —— *Cornwall*, Major-General; —— *Follist*, and the Earl of *Albemarle*, Brigadiers.
- ‘ Camp near *Newbury*. General *Wade*; *Charles Churchill*, Lieutenant-General; Earl of *Pembroke*, Major General; —— *Read*, and —— *Cornwallis*, Brigadiers.
- ‘ Camp in *Windfor-Forest*. Lieutenant-General *Honeywood*; Major-General *Campbell*; the Earl of *Evingham*, Brigadier.
- ‘ Forces ordered to encamp under the Command of Sir *Charles Wills*, on *Hounslow-Heath*, were, two Troops of Horse-Guards; one Troop of Horse-Grenadiers; and three Regiments of Foot, consisting of seven Battalions.
- ‘ In *Windfor-Forest*, under Lieutenant-General *Honeywood*, the Royal Regiment of Horse-Guards, and the Duke of *Montague*’s Regiment of Horse; *Honeywood’s*, *Rich’s*, and *Campbell’s* Dragoons; *Barrel’s*, *Pulteney’s*, *Peer’s*, Colonel *Handasyd’s*, and Colonel *Campbell’s* Foot.
- ‘ Near *Newbury*, under General *Wade*, the Earl of *Pembroke*’s Regiment of Foot, and General *Wade’s* Horse; *Hawley’s*, Lieutenant-General *Kerr’s*, and *Cardogan’s* Dragoons; *Harrison’s*, Major-General *Handasyd’s*, General *Whetbam’s*, Lord *James Cavendish’s*, and Colonel *Bland’s* Foot.’

These Incampments continued till *October*, and though they gave some Annoyance to the Sheep and Poultry in the Neighbourhood, yet in general they were a great Relief in the Country, and of some Service to our young Officers and Soldiers, by teaching them how to pitch their Tents; therefore as long as we keep up an Army,

Army, I cannot think there would be any harm in sending them every Summer to a Camp.

I shall next give an Account of some of those Occurrences relating to the War, which may be said to be of a private Nature, because they chiefly relate to private Men. The first Account of this Kind was contained in the following Letter from Captain *Read* Commander of the *Sea-Horse* of *Bristol*, to his Owners there, dated at *Civita Vecchia*, April 24th, 1740. O.S.

Capt. Read taken.

“ SINCE our Misfortune of being taken by the barbarous *Spaniards*, had not the Liberty to write to you; none from the Shore were suffered to see or hear from me. They used us in a most barbarous Manner, giving our People little to eat, and quite naked. God be praised we have got our Liberty with Ship and Cargo. The Privateer has been gone about three Weeks, and left nothing on board but the Masts standing and Sails to the Yards, with two Cables, one of which was new, they cut of it thirty Fathom, some of the Water Casks, two Anchors, and two Guns. There is not the least thing of any kind left on board. The *Mediterranean Pass* is also taken away, and all my Things, so that I have not so much left as will wrap round my Finger, and the Men naked. Having no Consul or Envoy here to make our Application to, must be satisfied till we have a further Hearing who must make good the Damage, for the *Spaniards* that rob'd us are gone. We are in no case fit to proceed from hence, and what to do I don't know till I have your Orders; not having any Pass or Colours, so shall be a Prize to the *Turk*.

“ It was on the 8th of *March* it happened; we were within two Miles of our Port; they were in the Mould when they saw us; two Sebecks belonging to *Majorca*, each 70 Men on board, with four Carriage Guns and twelve Swivels; one of them came out with both Crews on board, and their Launch; the Launch came first with 60 Men, and ordered me to strike for the King of *Spain*, and if I offered to fire they would cut us in Pound Pieces. I told them I did not know the King of *Spain*, and if they wanted us to strike they must come on board and do it; but they

they were not so good as to come; we soon gave them their Discharge, and sent them on board the Privateer, which was within Gun-shot of us; having a light Breeze of Wind, when we came within Pistoll-shot we fired into him, which did him some hurt; They then laid us on board on our Larboard-side, but we soon cleared them; and they boarded us a second time, but could not stay long, but went on board their own Vessel, carrying their wounded and dead with them, which made them make a lamentable Outcry, so that half of them run down into the Hold. I could see them, but could not come at them. If I had but thirty Men to have followed me with Sword in Hand, I am certain could have taken them, for they did not know what to do. At last they began to fire their great Guns; they beat in our dead Lights, and damaged our Quarter very much. As we were drove out of the Cabbin, and having no Guns forward, and two of our People wounded out of seven, our whole Number, we call'd for Quarter, and they were soon on board like Lions, and demanded us on Deck. I went up first, and they met me and stript me naked, and fell on me as if I had been roast Beef, and quickly drove me that I was obliged to go Head foremost over board, or be cut to Pieces; they fired a Pistol at me as I was going into the Water, two Balls went through my left Foot, through the Calf of my Leg, and up into my Thigh, and there rested till they were cut out. I have suffered a great deal, and still obliged to keep my Bed, am afraid shall not have the use of my Leg, for they cut my Wounds acros my Flesh. The next Man that came on Deck they cut him to Pieces, and he died in three Days. After the third that came up they attempted to cut his Head off, but missing their Stroke took his Shoulder and cut it almost off; the rest seeing this hid themselves. Whilst I was in the Water I swam towards their Boat to take me in, one of them up with his Oar to knock me on the Head, I dived under, by which I avoided the Blow; at last they took me up into one of their Boats. I had several Wounds and Cuts on my Body, my left Hand cut open to the Wrist, with a great Cut in my Head, the Water all about me was the

' Colour of Blood. The Battle lasted an Hour before we struck. We killed sixteen of them on the Spot, which they hove directly over-board. Four we wounded, two of which died. The Doctor was ashore, which obliged them to come in. We were within reach of their Guns on Shore, but did not fire till we were engaged.

' If it had not been for the Governor of this Place we should have been carried away by those Villains, and they would never have let me live to see Land: They have said if ever they catch me they will cut me in Pound Pieces: I am not afraid of them.

' There is only one Way to destroy these Privateers, and easily done, which is this; to have a small Vessel, like ours, with good Accommodations to mount six or eight Guns, and about 130 Men; not to shew above seven or eight Men on Deck till the Privateer come along-side and grappled fast, then every Man on Deck. The Surprise would take them, for they have no Souls. As for our Men of War, they are as fit to go after them as a Cow after a Hare, and they as much mind them, for they sail so incomparable well, that nothing can touch them. God Almighty has granted me a little longer Time here: all my Desire is to have another knock at them before I die. Having much more to say, and not able to move out of Bed, I remain,

Your most humble,

And most obedient Servant,

JOHN READ.

The next I shall take notice of, came in the following Letter from Capt. Mackey, from on board the *Nesbit* Capt. Mackey of the Start, to *Albert Nesbit, Esq;* dated May 18th, 1740.

Capt. Mackey's Engagement.

THIS will be delivered to you by a Londonderry Man, a brave honest Fellow, who came to Cork just as I was going to sail, and whom I ship'd there as third Mate, being very well recommended. We sail'd from Gibraltar the 21st of April, and met with variable Winds, which obliged us to stand some-

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times

times to the Westward, and sometimes to the North-
ward, for several Days. In Lat. 48. 34. about 50
Leagues to the Westward of Ushant, we met with the
St. Sebastian, a Spanish Privateer of 18 Guns and 150
Men, who bore down upon us with English Colours;
we on sight of her (as we have done during the Voy-
age, on sight of any Vessel) got every thing ready;
when she came near us, my Gunner assured me it
was the St. Sebastian (having himself been taken by
her last Year) and so it proved: When she came
within Gun-shot she struck her English Colours, hoist-
ed Spanish, and fired her great Guns and small Arms
upon us with great fury; we all lay close till she came
along-side of us, when we fired a whole Broadside in-
to her, which she little expected; she directly return'd
the Compliment, and her small Arms; and we im-
mediately did the same, with the Addition of three
English Huzza's; this, with a constant Fire for some
time, oblig'd her to sheer off, and decrease her Firing;
and soon after he set all the Sails he could, and made
off; we then crowded after him, and rak'd her Back-
side merrily (every Body on board being full of Spi-
rits) and should certainly have taken her, had we not
been so deeply laden. I shall not be afraid of meet-
ing such another Privateer, while I am supported by
such a brave set of People as I now have. I forgot
to tell you that the Heat of our Engagement lasted
an Hour and an half: He has tickled our Sides, and
maul'd our Rigging; but I am confident his are much
more pepper'd. Thank God we had none kill'd, but
four are wounded by the Splinters. Our People, who
ply'd the Blunderbusses from the Tops, could perceive
their Men fall thick, on the Discharge of our Double-
Round and Partridge. We shot away his Colours;
I wish it had been his Masts, which enabled him to
fly so fast, that we might have shewn the St. Sebastian
the Way to London, and teach her better Manners,
for the many Insults she has been guilty of to our
Countrymen.'

As soon as the Owners of the Ship had this Account,
they resolved, that all imaginable Care should be taken
of the wounded Men, for which Purpose they took
Lodgings

Lodgings for them against their Arrival in the River, and most generously rewarded the whole Crew for their gallant Behaviour.

In July we had an Account, that the *Baltick Merchant* of Bristol, Capt. Nathaniel Halloway, was taken within View of Scilly. The Privateer that took her had 12 Carriage and 4 Swivel Guns, commanded by a Frenchman, and man'd with 70 Frenchmen and 56 Spaniards. The *Baltick Merchant* had but 20 Sailors, viz. 16 Englishmen and four Spanish Prisoners, whom they took on Board when they came from South Carolina, through the want of Hands. The *Baltick* being a stout Ship fought the Privateer in a gallant brave Manner seven Glasses or three Hours and half; and had not the Sailors been so few in Number, they had certainly took the Privateer. At the first Broadside the *Baltick Merchant* fired, the Privateer sheered off, and viewed her some Time, supposing her, as 'twas thought, to be a Ship of greater Force than they at first imagined; but perceiving her Sails to flap in the Wind, and not well managed, 'twas conjectured they guess'd right as to her being thin of Hands, and accordingly began to ply her Guns pretty warmly; and at length came boldly up and boarded the *Baltick* with a great Number of Hands, armed with Sword and Pistol, and obliged the Englishmen to beg for Quarter, and strike their Colours. Eight Sailors were killed during the Action on board the Privateer, and two on board the *Baltick*.

Capt. Halloway taken.

There was on board the *Baltick Merchant*, Colonel Braithwaite, his Lady, two Children, and two other English Ladies, &c. who came over Passengers in order to settle in England. The Colonel stood Centry over the four Spaniards during the Engagement, with his drawn Sword, while they were employed in steering the Ship; and when the Lieutenant of the Privateer first boarded, he begged for Quarter, and delivered him his Sword, on which the Lieutenant promised him good Quarter; but it proved unfortunately the Reverse; for while he was talking to the Lieutenant, one of the French Sailors who stood behind, clapp'd him on the Shoulder, and the Colonel looking quickly about, the cowardly Villain shot him through the Head with a Pistol, and his Brains gush'd out in view of the Lieutenant;

and this French Murderer would have also shot Capt. Halloway, had he not been prevented by the said Lieutenant, who was in some Perplexity at this perfidious rash Action of the French Sailor. He was clapped in Irons, and on his Arrival at St. Sebastian committed Prisoner to the Castle, and no Doubt is made but he'll be hanged.

They presently stripp'd the Colonel, who had three Gold Watches, and a Diamond Ring of about 30l. Value, besides Money and other valuable Effects on board, and before he was quite dead threw him over board.

His Lady and Family knew nothing of his Misfortune (thinking he was on board the Privateer) till they arrived at St. Sebastian, where she was lodged in a Tavern kept by an Irish Renegado. But when this Misfortune was rumour'd all over the Town, and her Rank came to the Knowledge of some Spanish Ladies, she was visited by Abundance of them, who treated her and the rest with her with great Civility and Humanity, and removed her and Family into one of their own Houses.

Capt. Causzar's Engagement.

In the same Month, we had an Account that the Prince William, Thomas Causzar Master, was attack'd in her Passage from Dublin to Oporto, by a Spanish Privateer, and though he had but 6 Swivel Guns, 5 Men, and a Boy, he maintained a Fight for about an Hour, in which Time having fortunately killed and wounded a great many of the Spaniards, the Privateer thought fit to sheer off, and left Capt. Causzar, with his brave little Crew, to pursue their Voyage.

Capt. Spawforth takes a Privateer.

In September we had the following Account from Gibraltar, ' As the Streights, Oporto, and Leghorn Fleets were homeward-bound, under Convoy of Capt. Lin-gen in his Majesty's Ship the Argyle, the Kennington, Man of War, Capt. Robinson, at that time also in Company, off Caribagena they discover'd a Spanish Privateer hovering about the Fleet, which the Kennington directly gave Chace to, but to no Purpose: The Spaniard was as much too nimble for her as a Plate Horse for a Hackney Hobby. This Capt. Spawforth perceiving, who was between the Privateer and the Shore in a Bermudas Sloop, bound to Gibraltar with Provisions for the Garrison, and no ways belong-

ing

ing to the Fleet, he sail'd boldly out to him, clapp'd him on board, and in the Heat of the Engagement having killed the *Spanish* Captain, obliged her to strike though she had 70 Men. This heroick Exploit was so justly admired by Capt. *Lingen*, that when the Prize was brought to him, he and his people generously and chearfully, with one Voice, resigned their Shares in her to *Spawforth* and his little Company, for whose Use she was afterwards sold, and divided among them at *Gibraltar*. But the Value of the Capture is inconsiderable to the Consequences attending her being intercepted, which probably was nothing less than the Preservation of the whole Fleet; for by searching of the Captain's Papers they found, that being a prime Sailer, he was dispatched from *Cadiz* as a Spy upon the Fleet, and after a Discovery of the Number and Strength therof, his Instructions were to return to the Harbour, where were five stout Men of War man'd, and fitted ready to put to Sea, that would, had the Privateer reach'd back to his Port, according to the Opinion of the Commanders, as the Wind then stood, have inevitably fell in with them in the Gut of *Gibraltar*, and made an easy Prey of them, as well the two King's Ship as Merchant-men.'

The Beginning of *November*, we had the following Account in a Letter from Capt. *John Peddie*, of the Prince of *Orange* from *St. Christopher*, dated *Downs*, Oct. 30th, 1740. 'This comes to acquaint you of my safe Arrival in the *Downs*, this Morning at 3 o'Clock, after a very tedious Passage, beating five Weeks with an Easterly Wind, and on the 23d of this Month in Lat. 49. 40. about 30 Leagues to the Westward of *Scilly*, at half an Hour past one, a *Spanish* Privateer came up with us: We fired three Shot at him, he hoisted English Colours and bore down upon us; we taking him for an English Man of War made no Resistance. When he came under our Stern, we discovered him to be an Enemy: He pour'd in his Broadside upon us with all his small Arms. Our Guns being all wet below, we had nothing ready to return him but our Quarter-Deck Guns and small Arms; I clapp'd the Helm hard a Weather, and run him aboard on the Quarter, which did him considerable Damage. After

Capt. Peddie's Engagement, &c.

he got clear he shot a-head, and lay by a Quarter of an Hour, by which Time we were all ready to receive him; then he bore down upon us, and we gave it him pretty heartily for three Hours and an half, when he bore away: I bore after him, but finding he got from us, I clapp'd on a Wind again. He was a Ship of 18 Guns six Pounders, and I believe as many Swivels, about 150 Men at least, though I believe we lessened his Number before he went away. We lost in the Action the Boatswain and three more; five of our Sailors, and a Negroe Woman wounded.

But in a few Days after, this Gentleman had the Misfortune to lose by a Storm the Ship he had so bravely defended against the Enemy, of which the following Letter from himself gave the best Account.

Margate, Nov. 3d, 1740.

ON Saturday abought eight at Night we were an' chord in *Westcote Bay*. It blowing very hard, we veered away to a whole Cable, the Wind at N.W. At nine our Cable or our Anchor broke, and we let go our Sheet Anchor, and veer'd away our whole Cable, brought up, and rid half Hour; the Palls of our Windlafs gave way with a sudden Jerk, which either started or broke the Anchor; we then cut both Cables in the Harse, and endeavoured to wear her and get her to Sea, but to no purpose. At ten we drove ashore on a Ledge of Rocks called the *Naylins*, where we lay till 12 Sunday Noon, when Merchant Brooks got two Boats carted from to Windward of the Wreck. The Ship had not been half an Hour on Shore, before the Stern, Cabin, and Round-house broke in Pieces. We then got to the Forecastle, and by Morning all was gone abaft the Windlafs. Thus 23 of us continued, the Sea making a free Passage over us 14 Hours. Five perished with Cold before brought off; and I could not have survived an Hour longer. I lost the Use of my Limbs, and write this in Bed, where by having hot cloths applied to me I am much recovered. I have not saved any thing. The Height of the Gale was at North, and the People here say they never knew so violent a Gale.'

This

This Gentleman's Bravery and Misfortune being properly represented to his Majesty, he was pleased to order him a Present of a Hundred Pounds, and afterwards appointed him Captain of the *Basilisk* Bomb-Ketch, but the Generosity of the People was very remarkable upon this Occasion; for Mr. *Rich* having granted him a Benefit Night at his Playhouse, and the Tragedy of *Cato* being acted there for his Benefit, he thereby got as much as fully recompensed his Loss; and Mr. *Fleetwood* having granted the like Favour to his Sailors, the Play called the *Tempest* was acted at *Drury-Lane* Playhouse for their Benefit, by which they got a very considerable Sum of Money.

It would carry me too great a Length to give a particular Account of the brave Resistance made by many others of our Merchant Ships; for of about 170 of them that, according to Computation, were taken from the Beginning of the War to the End of last Year, few or none tamely surrendered, where they could have the least Hopes of making their Escape by a brave Defence. But what added greatly to the Misfortune of these Captures was the ill Treatment our Seamen met with, of which I could give many particular Accounts; but shall give only one as follows, *viz.*

Ill Treat-
ment of our
Sailors by
the Enemy.

I WAS taken the 13th of January last by a Spanish Settee of 16 four Pounders, in Sight of *Tetuan*, on a Voyage from *Smyrna* to *Santa Cruz*. She fired at me but hoisted no Colours. I being ordered on board him carried my *Mediterranean* Pass, supposing them to be *Moors* and not able to make Defence, but soon found my Mistake, for I was thrown down into the Hold, and my Vessel seized: They then stript me, and brought my Men in like Condition to keep me Company. In a Day or two I was admitted on Deck, when the Privateer's People were called about me to see the Valour of their Lieutenant while he beat me, at that Time I knew not for what, but was afterwards informed it was because one of my Men had told them, if I had known what they were I would have defended myself when taken. They afterwards carried me to *Malaga*, where a Merchant that knew me desired to speak with me, but was not admitted. I

‘ was then beat again by the Lieutenant for not (as he made me understand) giving him due Honour. From thence we were carried to *Carthagena* and sent to Prison, a dismal one indeed! being obliged to lay on the bare Stones amongst the common Felons in Irons, and allowed only Bread and brackish Water; we were also obliged to take our turns to watch, in order to keep the Rats and other Vermin, which were very numerous, from pestering us. After about a Month, I and my Men were forced on board their Men of War to go a cruising; but refusing to enter into their Service, were kept two Days without Victuals. We were afterwards sent to *Majorca*, and though I was very ill of a Fever, was allowed only the Boat on Deck to lie in, without any covering; but our Consul’s Wife of *Carthagena* being there, relieved us very seasonably till we were exchanged by the *Pembroke* Man of War. I had afterwards the farther Mortification to see the *Spaniard* Prisoners exchanged for us with all their Clothes, Chests and Bedding, and I and my People only in Rags.’

W. COLLINGS.

There were indeed some of our Seamen that met with civil Treatment, particularly those of the *Dursley Galley* Capt. *Wilson*, and *Biddeford* Capt. *Finny*, of which we had an Account from a Gentleman taken on board the former; but this was from the Crew and Owners of the Privateer only; for from the Government of *Spain* they generally met with hard, if not cruel Usage, which was owing, I believe, to their Design of compelling our Seamen to enter into their Service.

As great Numbers of our Merchant Ships were taken, it occasioned frequent Complaints against our Conduct with regard to Cruisers and Convoys, in so much that even some Merchants abroad took notice of it in their Letters to their Correspondents here, one of which in the Month of July, from an English Gentleman in *France*, was as follows, *viz.*

‘ There are great Numbers of Prizes, which are brought into *St. Sebastian*, purchased by the *French*, and are put under *French* Colours (but they have not bought

Our Merchants complain of our Conduct.

bought one half of them) for there are actually above thirty Prizes which by Negligence are sunk in St. *Sebastian*, and would never sell at any Rate; their Harbour cannot contain all that are taken; their Privateers bring in daily more or less of our Ships, and mostly taken in Sight of *England*: It is a surprising Conduct in your — to leave your Coasts unguarded, having such Fleets of Men of War in Commission; — two 20 Gun-Ships off St. *Sebastian*, and three or four more in the Entry of your two Channels, had saved all the Damage and Dishonour which that pitiful Place has brought upon us already; and now they despise us so much that if no better Care be taken than hitherto they may attempt to go into our very Bays and Rivers.

And another from *Lisbon* dated July 22d, N. S. was as follows, *viz.*

The taking of the *Guinea-man* and two Ships more, which were carried into the *Canaries*, is no News to us: It's incredible the Number of Ships the *English* have lost every way, and at the same time fill their Papers with the Names of Ships ready to put to Sea, and others put into Commission; but we don't see that they make any great Figurd, except it be in the News Paper: It is astonishing to see that they brag of having actually 160 Ships of War, and at the same time to see their Trade bear such considerable Losses, and so little protected and minded that Ships for this Kingdom and the *Straights*, from their Metropolis, were not able to get a Convoy for several Months; for in fact your Trade is obstructed only by a few Privateers, the Enemy's Fleet not daring to appear or show their Heads, except it be to get out of one Harbour into another. Does the Safety of your Island depend upon three or four small Twenty-Gun Ships, more or less? Can't such a Number be spared to protect your Shipping? We are now in Expectation to hear what your great Preparations for the secret Expedition will amount to; we wish it may not prove like the Pregnancy of the Mountain in *Horace*.

In Confirmation of these Complaints, Capt. *Basset* of the *Happy Return*, who made his Escape from *St. Sebastian*, and arrived here the same Month, represented thus :

' That there are above two hundred *British* Sailors Prisoners in the Place, who are compelled to do all the Work belonging to the Shipping in the Port, as fitting out the Privateers, unloading the Prizes, and other Drudgery, at the same time being allow'd but a scanty Portion of bad or stinking Provisions ; the Spanish Seamen walking about all the while like Gentlemen.

' That the Town itself is weak and almost defenceless, the Fortifications out of Repair, and their Batteries so old and broken, that with three Ships of 70 Guns and two Fireships the Town might easily be taken, and all the Ships in the Harbour burnt or sunk, they having not above 16 Guns that are serviceable to annoy an Enemy.

' That during the Time he was there, their Privateers had been surprisingly favour'd by the Wind, they not having been kept out of the Harbour twelve Hours in bringing in all their Prizes, of which there was a shameful Number.

' That their Commanders scoff at the Talk of our Fleets, and say they do not believe we have any Men of War ; for, to a Man they insist on it, they never met with one whilst they have been out upon their Cruise ; and that if we have such a Navy as boasted of, the Captains are Poltroons, or at least asleep in Harbour, &c.

Privateers
in the Dis-
guise of
French fish-
ing Boats.

I must likewise take Notice of another Misfortune our Trade lay exposed to in this War, which was that of it's being infested by small Privateers, or rather Pyrates, navigated by French Subjects, with one or two Spaniards on Board, to act as Officers upon Occasion, and a Commission from the King of Spain. These small Ships, when they met with our Ships of War, were commanded by some of the Frenchmen on Board, and the Commission being secreted, they pretended to be French fishing or coasting Vessels ; but when they met with a Merchant

Merchant Ship, the *Spaniard* took his Post as Captain, and then they acted as *Spanish Privateers*. What Measures were taken for preventing this Misfortune, which might have been foreseen, and in a great Measure provided against, without giving any just Cause of Offence to *France*, I do not know, but it is certain that several of our Merchant Ships were taken, even in the *British Channel*, by such amphibious Vessels. Of this Practice we had several Accounts published in our News Papers, of which I shall give only the following, *viz.*

‘ October 27th, the *French* fishing or open Boat with so great a Number of Hands, that was lately taken by Captain *Gregory* in the *Page* Sloop or Tender, and carried into *Plymouth*, has been reclaimed and delivered up, not having had any Commission found on Board, though reasonably suspected to be one of those that so much annoyed our Merchantmen. The *Spaniards*, about a Dozen, that were on Board her, have indeed been derained as Prisoners.’

October 27th, in a Letter from on Board the *Biddeford*, dated October 23d. ‘ On the 9th Instant, about five in the Afternoon, his Majesty’s Ship *Biddeford*, commanded by the Right Hon. the Lord *Forrester*, was boarded by a *French* Ship of 14 Guns and 30 Men, near *Alderney*, who owned that they took her for a Merchant-man; but when they found their Mistake, and perceived they were like to meet with a warm Reception retreated on Board their own Ship with the utmost Precipitation, except three, who could not recover her again; but the Captain of the *Biddeford*, judging by their Behaviour and Manner of boarding him that they had a roguish Intention, carried the Vessel into *Guernsey*, where he was bound, and the Affair was examined by a Court of Justice; but they not finding any *Spanish* Commission, (which tis supposed they had thrown over-board) would not come to a Determination to condemn her as a Prize.’

‘ November the 3d, The Commander of his Majesty’s Ship the *Gibraltar*, in her Passage from the *Downs* to *Spithead*, perceiving a *French* Fishing-Boat off *Dungeness* at Anchor, ordered his Ensign and Pennant to be taken down, to appear like a Merchant-Ship; the Fishing-

' Fishing-Boat presently weighed Anchor, and made
 ' sail within Gun-shot of the Man of War, which there-
 ' upon hoisted her Ensign and Pennant, and fired, in
 ' order to oblige the Frenchmen to bring too: This put
 ' them into such a Consternation, that they all run under
 ' the Hatches, except one Man, who steered, so that
 ' they could not bring too. The *Gibraltar*, after firing
 ' three more Shot, boarded the said Boat; whereupon
 ' the Crew fell upon their Knees, begging in a pitious
 ' Manner for Mercy, and saying they had no Design
 ' against the *English*. Upon searching the said Boat no
 ' Fire-Arms or Ammunition could be found in her; she
 ' could not therefore be made a Prize. The French-
 ' men said that it was seven Weeks since they left *France*,
 ' and that all their Provisions were spent, and had no-
 ' thing to eat for two Days; on which the Captain of
 ' the Man of War relieved them with some Pieces of
 ' Beef, &c. Their Crew consisted of 21 Men.

' November 20th, On Saturday the 15th Instant, his
 ' Majesty's Ship the *Rose*, appointed Convoy to the
 ' Trade going to *Carolina*, and the *Bahama-Islands*,
 ' being got down the Channel as far as the *Start-Point*,
 ' her Commander, Capt. *Frankland*, perceived a Boat
 ' (which appeared like a *French* Fishing-Boat) in Com-
 ' pany with a small Sloop, and suspecting her to be a
 ' Spanish Privateer with a Prize, he ordered the Ships
 ' under his Convoy to make the best of their Way to
 ' *Torbay*, and himself give Chace to the Boat, and in
 ' three Hours and a half came up with her, and she
 ' proving to be a Spanish Privateer, he took her: She is a
 ' Launch of about twenty Tons, rows with fourteen
 ' Oars, and had twenty Men on Board when taken: She
 ' came from *Port-Passage* the 22d of *October*, and two
 ' Days before she was taken, from *Conquet*, a French
 ' Port near *Brest*. The Sloop, which was in her Com-
 ' pany, proved to be a Prize which had been taken by
 ' her, called the *Molly*, *John Westcomb*, Master, from
 ' *Hamble* bound to *Fowey*.

King of Si-
city's neutral
Conduct.

Whilst the War was thus carrying on between *Great-Britain* and *Spain*, the other Princes of *Europe* observed
 an exact Neutrality, particularly those of *Italy*, and
 some Suspicions having been spread among our Mer-
 chants

chants, with regard to the King of the *Two Sicilies*, *M. Como*, his Minister at this Court, wrote the following Letter to his Grace the Duke of *Newcastle*, on the 10th of February.

‘ *My Lord Duke,*

‘ Upon the Reports which have been spread at *Genoa* and *Leghorn*, that the King of the *Two Sicilies* would not observe an exact Neutrality, in regard to the War between the King of *Spain* and his *Britannick Majesty*, which Reports have been occasioned by some evil-minded People, and with a View to prejudice the Commerce of his *Britannick Majesty’s Subjects*, I have received Orders from my Court to again assure your Excellence, that the King of the *Two Sicilies* will still religiously observe the Neutrality, which he has hitherto exactly done, whatever Events may happen in Consequence of the War, and that all the Ships and Subjects of *Great-Britain*, who frequent the Seas and the Ports of the Kingdoms of the *Two Sicilies*, shall be always well received there, and treated as a Nation the most highly favoured: And I am further charged to desire your Excellence to give his *Britannick Majesty*, along with this Declaration, positive Assurances of the Uprightness and Sincerity of the Intentions of the King of the *Two Sicilies*, &c.’

To which his Grace, by his Majesty’s Order, returned the following Answer, on the 6th of May.

‘ *SIR,*

‘ I laid before the King your Letter of the 10th of February last, along with the Plan for a Treaty of Neutrality between the respective Kingdoms and Subjects of his Majesty and the King of the *Two Sicilies*. His Majesty, after mature Deliberation, has ordered me to let you know, for the Information of the King your Master, that his Majesty has no Intention to break the good Understanding subsisting between him and the King of the *Two Sicilies*; but in the present Juncture his Majesty does not think it necessary to conclude a Treaty of Neutrality for this Purpose.

‘ *As*

As his Majesty is persuaded that the King your Master will not suffer his Majesty's Subjects to be molested in his Dominions, nor within the Limits of his Ports, so his Sicilian Majesty may be assured that the King's Admirals and Sea-Officers are strictly enjoined not to meddle with the Ships or Effects belonging to his Sicilian Majesty or his Subjects, or to any Neutral Power; not to infringe, in any Shape whatever, the Neutrality of his Sicilian Majesty's Ports,

"I am, &c."

A Law published by Proclamation.

As I have already taken Notice of a Motion in the House of Commons for publishing a Law, passed last Session of Parliament by Proclamation *, I shall inform my Readers, that on the 10th of April a Proclamation was issued by his Majesty as follows, *viz.*

"By the King a Proclamation.

WHEREAS by an Act passed this present Session of Parliament, intituled, *An Act for the more effectual securing and encouraging the Trade of his Majesty's British Subjects to America, and for the Encouragement of Seamen to enter into his Majesty's Service*; it is among other Things, enacted, for the encouraging his Majesty's Subjects to engage in joint and united, as well as separate Expences, Expeditions, and Adventures, That we, our Heirs, and Successors, be empowered, from Time to Time during the Continuance of the present or any future War, to grant Charters or Commissions for the more effectual enabling any Societies, or particular Persons to join in Expeditions by Sea or Land, and to sail to, and in any of the Seas in America, for the attacking, taking, or destroying any Ships, Goods, Moveables or Immovables, Settlements, Factories, Creeks, Harbours, Places of Strength, Lands, Forts, Castles and Fortifications, now belonging, or hereafter to belong to, or to be possessed by any Enemy, in any Part or Parts of America; and for the better making and carrying on any Preparations for such Purposes, and for the

* Page 30.

making

making and assuring to the Societies or Persons concerned, their Heirs, Successors, Executors, Administrators, and Assigns, full and undoubted Properties, Rights and Titles, in and to the same, which such Societies or Persons shall take, or cause to be taken from the Enemy, under such Regulation, and in such Manner and Form, as we, our Heirs, and Successors, shall think fit, and at any Time hereafter, by any further Grants or Charters to confirm, and further assure the Premisses to them, so as to enable them to have and enjoy the full Benefit thereof, but so, as that nothing therein contained shall extend to exclude or restrain any of our Subjects from having a full and free Trade to and in any Part of America: We have thought fit, &c.'

Having thus given an Account of the most material Transactions relating to the War, I shall proceed to give the other important Affairs relating to the Publick in general. On Wednesday the 18th of June, at a Court of Common Council of the City of London, held at Guildhall, it was agreed to return the Thanks of that Court, to the four worthy Representatives of the City, viz. Mr. Alderman Parsons, Sir John Barnard, Mr. Alderman Perry, and Mr. Alderman Willmott, for their faithful and diligent Attendance in Parliament, particularly while the Place Bill was depending, in the following Words:

WE the Lord Mayor, Aldermen and Commons of the City of London, in Common-Council assembled, return you our Thanks for your faithful and diligent Attendance in Parliament, particularly while the Place-Bill was depending last Sessions; and being solicitous, that the Rights and Liberties which this Nation has hitherto enjoyed, should be continued to latest Posterity, and considering, that those Blessings can alone be secured by the Independency of Parliament, do most earnestly require of you to renew your Endeavours in procuring a proper Bill for reducing and limiting the Number of Place-Men in the House of Commons.

City of Lon.
don thank
their Mem-
bers.

As

‘ As we apprehend that our Expectations last Sessions were in a great Measure disappointed through the Absence of a few Members from Parliament, we cannot but entertain the strongest Hopes of Success the next Year, nor doubting but those Gentlemen, being at length convinced that a diligent Attendance in the House of Commons is of the utmost Consequence to the Nation, will not hazard a second Loss of this salutary Law, so immediately necessary to preserve the Freedom of our Constitution, to restore Unanimity among the People, and establish that Confidence in his Majesty’s Measures, as may effectually enable him, at this important Juncture, to assert the Honour of his Crown and Kingdom.’

*Middlesex
Instructions
to their
Members.*

On the 15th of May, the Freeholders of Middlesex having met at Brentford, to chuse a Knight of the Shire in the Room of Sir Francis Child, deceased, and having chosen Sir Hugh Smithson, Bart. they then drew up and delivered to their Representatiyes in Parliament the following Instructions.

‘ WE the Freeholders of the County of Middlesex, being met together for the Purpose of a new Election, take this Opportunity of recommending to you, our worthy Representatives, a Bill for the reducing and limiting the Number of Placemen, who shall hereafter be admitted to sit in the House of Commons; which Bill, though hitherto it has unfortunately miscarried, we cannot but apprehend to be of the utmost Importance to the Independency of Parliament, and therefore earnestly beseech and require you, to use your utmost Endeavours, to procure so good and necessary a Law, being firmly persuaded, that nothing will contribute more effectually to the healing our present unhappy Divisions, or to the extinguishing of all Fears or Jealousies of any Attempts against our most excellent Constitution; or be, at this Time, more likely to strengthen his Majesty’s Hands, by conciliating to him the Affections and Confidence of all his People.

‘ As what we thus zealously recommend to your Care is manifestly the Desire of all good Men, and sincere Friends

Friends to the present happy Establishment, we make no Doubt of your cheerful Concurrence and ready Assistance therein, hoping rather to see this good Work, so necessary to the Safety, Happiness, and Prosperity of this Constitution, effected by the Prudence of Parliament, than that the People should be forced to the Necessity of declaring against all Places men at the ensuing Elections.'

After having unanimously voted the foregoing Instructions, the Freeholders then present, with the same Unanimity, returned their Thanks to Mr. *Pulteney* for his Conduct on all Occasions, and more especially in this Particular.

Then Mr. *Pulteney* and Sir *Hugh Smithson* offered their Service to stand as Candidates to represent the County at the next general Election, which was unanimously approved of,

The like Instructions were drawn up by most of the Counties, and many of the Cities and Boroughs in Great-Britain, and delivered or sent to their respective Members, of which I shall give only the few following, from whence the Reader may judge of the Nature and Tendency of the rest.

' To the Hon. Sir William Stanhope, and Sir Thomas Lee, Bart's.

Ditto from
Buckingham
County and
Town.

' WE the Grand Jury, &c. of the County of Bucks, assembled at Buckingham on Thursday July 17, 1740, in our own Names, and at the Request of great Numbers of Gentlemen, Clergy and Free-holders, our Neighbours, do lay hold of this publick Occasion to declare our Sentiments to you.

' We are convinced that all our Liberties depend upon the Freedom of Parliament, which entirely consists in that of the Elected and of the Electors; and we observe the Number of Placemen, Civil and Military, to have been greatly increased in the House of Commons for these many Years past, as well as the notorious Influence used by the Minister in Elections over all his Dependants; we therefore cannot but entertain great Apprehensions, that these Proceedings may

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‘ in their Consequences tend to establish in the Crown a Power above all Controul from the two other Parts of the Legislature, and induce the Parliament itself to support those Grievances, which in the Plan of our excellent Constitution it was designed to redress.

‘ We therefore think, that a proper Bill or Bills to secure Members of the House of Commons, and those who have a Right to elect them, from being under any undue Influence, is an Expedient absolutely necessary for securing the Whole; and we recommend it to you, as far as you regard our Opinion and Favour, to employ the most effectual Methods the Constitution will admit of, that such a Bill or Bills may pass into Laws.

‘ It is with great Satisfaction that we have seen the Parliament act with so much Unanimity, Vigour and Zeal, in supporting the War: Four Millions granted to his Majesty for that Purpose this Year, a hundred thousand Men by Sea and Land in the Pay of Great-Britain, and the Difficulties under which our Trade has laboured from the Means made use of for manning the Fleet, are Burdens we chearfully bear for the Defence of our Rights, and the Honour and Dignity of his Majesty’s Crown: And as the Spirit of Parliament has been shewn in an extraordinary Manner, we have Reason to expect that their Vigilance will no less appear in the strictest Enquiries how these Supplies and these Forces have been applied and managed; whether all the Savings are made to the Publick that the real Exigencies of the War will allow; and whether there has been so timely and prudent an Exertion of the Strength we have given, as to procure to the Nation all the Advantages they had a Right to expect.

‘ We are ready to sacrifice our Fortunes and Lives for his Majesty’s Service; but we cannot hope to see his Government prosperous, nor his wife Intentions properly answered, nor the Ends of the present happy Establishment fully secured unto us, if all such Influence be not removed, as may ever destroy the Independence of Parliament, without which, the Balance of our Constitution cannot subsist.

‘ As you have concurred in proper and salutary Methods for restraining such Influence, you deserve the Trust of your Constituents, and the Thanks of your Country:

Country: But since the Bills of this Kind, which have
been hitherto unsuccessfully attempted, are only so
many melancholy Proofs of the Necessity of them, we
think it the more incumbent upon us to declare our
unanimous Sentiments, that whoever, upon the late
enormous Encrease of Placement in Parliament, does
not promote any Bill or Bills, tending to the lessening
so growing and dangerous an Evil, will be justly re-
sponsible to the latest Posterity for every other Griev-
ance, Mischief, and publick Dishonour, which in fu-
ture Times, according to the Course of human Af-
fairs, must attend the Corruption of Parliaments, and
the Impunity of Male-Administration.

To Richard Granville, and George Denton, Esq;

WE the Bailiff and Burgesses of Buckingham, being very sensible of your zealous Endeavours in promoting a Bill for limiting the excessive Number of Civil and Military Placemen in the House of Commons, upon the Success of which Endeavours our Liberties and Properties absolutely depend, desire to return you our sincere Thanks in the most publick Manner for your past Services, and to express our Confidence in you, that you will steadily persevere in the same. The principal Gentlemen of the County have, with a most laudable Zeal, declared their Opinion of the Necessity of procuring such a Bill, and the Sentiments which they have so fully expressed, are exactly conformable to our own.

To Thomas Strangeways Horner, Esq;

Ditto from
Somerset.

WE the High Sheriff, Grand Jury, Gentlemen, and Clergy of the County of Somerset, assembled at the Assizes and General Meeting at Bridgewater, on Friday, August the 15th, 1740, take this Opportunity of declaring how sensible we are of the Necessity of promoting a proper Bill for limiting the Number of Placemen in Parliament. We are convinced, that the Security of our Liberties is entirely founded upon the Independence of our Representatives; and we think the notorious Influence used by

the Minister, over his Dependants, if not timely prevented, must prove fatal to those Rights, which we are determined to enjoy ourselves, and to transmit to Posterity. Therefore, we require you, to employ the utmost of your Endeavours to promote such a Bill, as will effectually put a Stop to this growing Evil. And farther we enjoin you, according to the ancient Usage of Parliament, not to give your Assent to any Money Bill, or Supply, until the Grievance above-mentioned be fully and effectually redressed.'

Ditto from
St. Mawes.

• To the Hon. Henry Vane and Richard Plumer, Esqrs.

WE the Mayor and Freemen of the ancient and loyal Borough of St. Mawes, as well in Conformity with our Sentiments, as with the Example lately and gloriously set to us by the Grand Inquest for our County, instruct you our Representatives to pursue the Measures recommended by them, to which we now refer you. We wish we could with any Propriety adopt, in regard to you both, every Part of what they have applied to their worthy Representatives; but our Thanks must be confined to one of you, whose Conduct in Parliament has been such as to deserve the Confidence which has been reposed in you by our free and uninfluenced Choice.

• St. Mawes, Octob. 8, 1740.

Ditto from
Denbigh
County.

And on the 24th of December, Sir Watkin Williams Wynn being then re-chosen for the County of Denbigh, the Freeholders sent him the following Instructions :

• To Sir Watkin Williams Wynn, Bart.

WE have this Day unanimously re-elected you to represent this County in Parliament, out of a grateful Sense of the repeated Services you have already done your Country, particularly by opposing the pernicious Excise Scheme, and disapproving the late, infamous Convention, and in full Assurance that you will still persevere in preferring the true Interest of your Country, before all mercenary or ambitious Views, and in promoting a Bill to limit the Number

of

‘ of Placemen, on the Success of which depend the
‘ Preservation of our Liberties, and the Independency
‘ that should always subsist in the House of Commons.
‘ And we could further wish, that according to the an-
‘ cient and laudable Usage of Parliament, the Custom
‘ of redressing Grievances did always precede Grants of
‘ Money, and that a strict Enquiry be made of the pro-
‘ per Application of such Grants; which is the only
‘ Method to induce us to pay our respective Propor-
‘ tions with Cheapfulness.

‘ We shall further pray, that you’ll watch and use
‘ your best Endeavours to preserve our Religion and
‘ Laws in general as entire and uncorrupted as is possi-
‘ ble for you to do in your present Station. Therefore
‘ we desire that you’ll oppose all Measures that may tend
‘ to bring a Scandal on either, or an Infringement on
‘ that precious Liberty maintained by our Ancestors at
‘ the Expence of their Blood, and transmitted to us in the
‘ Frame of our happy Constitution, which can be pre-
‘ served by no other Means, than by Laws to be made
‘ by our own Consent and Approbation: And this cannot
‘ be preserved to us as our Native Right and Privilege,
‘ unless we are permitted to consult and deliberate a-
‘ mong ourselves, and chuse our Representatives freely,
‘ without the Interposition of distant Powers, or of any
‘ indirect Practices: In Consequence of this, if you
‘ can discover that Schemes to disturb our Peace have
‘ been formed by a handful of People, for the Sake of
‘ Self-Interest, procuring Men in Power and high Sta-
‘ tions to furnish them with such Authority as gave Co-
‘ lour of Law to distress us; if you can find that any
‘ Members of the Community, who are debarred from
‘ intermeddling in the Elections of Commoners, have
‘ transgressed; if you find that Religion has been de-
‘ based and made subservient to low Purposes, in very
‘ flagrant Instances, by a wrong Turn of Episcopat
‘ Power, or otherwise; if you can discover that our
‘ Courts of Judicature have intermixed their Power for
‘ these unworthy Ends, and that the intended Conve-
‘ niency of inferior Courts in procuring Justice and
‘ Ease at our own Doors, have run into the quite con-
‘ trary Measures by a Ministerial Influence, we desire
‘ that you will let them and the Publick know that such

' selfish mercenary Wretches have only imposed on their
 ' Patrons in order to advance themselves; for we shall
 ' certainly disappoint them, not only in the next Gene-
 ' ral Election in your Behalf, but at all other future E-
 ' lections. We have engaged for ourselves and our
 ' Posterity (as far as we are able) to stick together, and
 ' oppose all Schemes and Candidates that arise from
 ' Places or Ministerial Instructions; and to chuse no
 ' Body as our Representative, but who shall consult us,
 ' The Freeholders, and us alone.'

Princes of
Wales de-
livered of a
Princess.

Tuesday the 30th of December, her Royal Highness the Princeps of Wales was safely delivered of a Princeps at Norfolk-House; and his Royal Highness immediately notified the same to his Majesty. Upon this Occasion there were publick Rejoicings, and Addresses presented as usual; but as the Addresses contained nothing extraordinary, I think it unnecessary to give Copies of any of them.

Nuptials of
the Princeps
Mary.

Thursday Evening May 8th, the Espousals of the Princeps Mary with the Prince of Hesse were solemnised at St. James's with great Solemnity, the Procession being as follows: The Bride and the Duke of Cumberland, with their Attendants, and all the Nobility and Gentry, were in the great Council-Chamber at seven o'Clock: His Majesty in his own Apartment; the Princesses in theirs. The Procession began at seven o'Clock in the following Manner: Fife; Drums; Kettle-Drums; Trumpets; Serjeant-Trumpeter, in his Collar of SS, bearing his Mace: These filed off at the Chapel Door. Master of the Ceremonies, with the chief Officers of the Bridegroom. Gentleman-Usher, appointed by the Duke, between the two senior Herald. Gentleman-Usher to the Bride, between two Provincial Kings at Arms. The Duke, leading the Bride in a Virgin Habit, with a Coronet, conducted by the Lord Chamberlain and Vice-Chamberlain; the Train borne by four young Ladies, Daughters of Dukes and Earls, dressed in white, the highest in Degree nearest the Person. The Duke's Servants, one by one, in a Line before him. The Duke and Bride were conducted to the Chairs, placed upon the Hautpas in the Chapel; and then all their Retinue retired, except those who bore the Train,

Train, who stood near the Bride to perform their Duties during the Ceremony. The Lord Chamberlain and Vice-Chamberlain returned, with the Provincial Kings at Arms, to attend his Majesty. The Drums and Trumpets returned to their former Stations, without playing. Unmarried Daughters of Peers proceeded by Pairs; those of the highest D^regree went nearest the Person. Peeresses proceeded by Pairs in like Manner, and retired to the Seats provided for them, when they entered the Chapel. His Majesty proceeded in the Manner following: Drums and Trumpets; Knight-Marshal; Pursuivants; Heralds; Knights of the Bath, not Peers, in their Collars, by Pairs, the Juniors first. Privy Counsellors, not Peers, in the same Manner. Sir *Robert Walpole*, in his Collar. Sir *Conyers Darcy*, in his Collar, as Comptroller of the Household. Barons. Bishops, in their Episcopal Habits, by Pairs, except such as had any Office to perform in the Chapel. Viscounts; Earls; Marquises; Dukes; each proceeded by Pairs; but when the Number was odd, the Senior went single: And all Peers who are Companions of the Garter, Thistle, and Bath, wore their respective Collars. Two Provincial Kings at Arms. Lord Steward, Lord Privy Seal; Lord President; Archbishop of York; Lord Chancellor; Archbishop of Canterbury; attended by a Serjeant at Arms on each Side. Garter King at Arms, between two Gentlemen-Ushers. Earl Marshal. The Sword of State, borne by the Duke of *Richmond*, Knight of the Garter. His Majesty, in the Great Collar. Captain of the Guards; upon his right the Captain of the Band of Pensioners, on his left the Captain of the Yeomen of the Guard. The Lord of the Bedchamber in waiting. Two Grooms of the Bedchamber in waiting. The Princesses supported severally by two Gentlemen-Ushers, their Ladies following them. Gentlemen-Pensioners, who ranged themselves in the Passage within the Chapel. The Return of the Procession was as before. The Life-Guards all did Duty on Foot, new clothed, and were drawn up under the Piazzas in the Palace.

The Procession being thus come into the Chapel, and his Majesty, the Princesses, the Nobility and Persons of Distinction being seated, his Grace the Lord Archbi-

shop of *Canterbury* said the Collect, *present us, &c.*, and the Lord's Prayer.

Then his Grace the Duke of *Newcastle*, his Majesty's principal Secretary of State, publickly read the Procuratior, signed by the most serene Prince *William of Hesse*, and the most serene Prince *Frederick of Hesse*; which is as follows:

NO S Fredericus Dei Gratiâ Landgravius Hassiæ, Princeps Hersfeldiæ, Comes Cattimelibocorum, Dectorum, Zugenhayne, Niddæ, Scaumburghi, & Hanoviæ, universis & singulis Christi fidelibus, quos infra scripta tangunt, seu tangere possunt quomodolibet in futurum, Salutem. Cum post graves & serias consultationes & tractationes, conventum, concordatum & conclusum sit inter serenissimum & potentissimum Principem Georgium Secundum, Magnæ Britanniæ, Franciæ & Hiberniæ Regem, Fidei Defensorem, Ducem Brunsvicensium & Luneburgensem, sacri Romani imperii Archithefaurarium & Principem Electorem, &c. ex unâ, & serenissimum Principem Guilielmum, Landgravium Hassiæ, Principem Hersfeldiæ, Comitem Cattimelibocorum, Dectorum, Zugenhaye, Niddæ, Schaumburghi, & Hanoviæ, &c. ex alterâ parte, divinâ favente clementiâ, quod inter nos & serenissimam Principem Dóminam Mariam, Filiam lectissimam natu quartam prædictæ Regiæ sue Majestatis, Matrimonium verum, purum, & legitimum contrahatur, & in facie Ecclesiæ propriis personis ritè celebretur, quam primum id commodò fieri poterit; & quod interim, quia nos iter in Magnam Britanniæ, præter spem & votum, facere impediamur, Sponsalia, in debitâ juris formâ, per verba de præsenti, in Magnâ Britanniâ, per Procuratorem, nostro nomine, celebrarentur. Et cum nos regiam suam Celsitudinem serenissimum Principem Guilielmum Ducem Cumbriæ, Ducemque Brunsvicensium & Luneburgensem, &c. eâ quâ par est observantiâ, rogaverimus, ut, nostro nomine, dicta Sponsalia contrahere velit, cui rogationi assentire dictus Princeps dignatus sit; idèo nos auctoritate & consensu dicti serenissimi Principis Guilielmi, Patris & Tutoris nostri, per præsentes facimus, ordinamus & constituiimus dictum serenissimum Principen Guilielmum Ducem Cumbriæ, &c. nostrum verum,

rum, indubitatum & legitimum Procuratorem ad contrahenda & celebranda, nomine nostro, Sponfalia, per verba de præsenti, in quâcumque Ecclesiâ, capellâ, vel loco celebri, in Magnâ Britanniâ, coram publicis & pluribus personis ad hoc convocatis, cum dictâ serenissimâ Principe Dominâ Mariâ, in tam amplis modo & formâ, ut jura ecclesiastica requirunt, vel exigunt; cum plena potestate omnia alia & singula faciendi, exercendi, & expediendi, quæ ad confirmanda, vel stabilienda dicta Sponfalia necessaria fuerint, sive opportuna; promittentes nos ratum & firmum habituros quicquid dictus serenissimus Princeps Dux Cumbriæ, &c. fecerit in præmissis. Et in Testimonium prædictorum, & ad majorem hujus rei confirmationem, tam prædictus Princeps Guilielmus, Pater noster, quam nos, præsentibus his literis, manibus propriis scriptis, sigilla nostra fecimus apponi. Datum Cassellis, Die Vigesimo tertio Mensis Aprilis, Anno Millesimo septingentesimo quadragesimo.

Guilielmus,

Fredericus, P. H.

Then the Duke of *Newcastle* publickly asked his Royal Highness the Duke of *Cumberland*, whether he accepted that Procuration? To which his Royal Highness answered, that he did accept it.

Then his Royal Highness the Duke took her Royal Highness the Princess *Mary* by the Right-hand, and the Duke of *Newcastle* read to his Royal Highness the following Words; his Royal Highness repeating the same after him audibly and distinctly.

THE most serene Prince *Frederick of Hesse Cassel*, doth by me *William Duke of Cumberland*, duly authorized and appointed for this Purpose, by Letters of Procuration now read and published, take thee Princess *Mary* to be his wedded Wife, to have and to hold, from this Day forward, for better for worse, for richer for poorer, in sickness and in Health, to love and to cherish, till Death does him and you part, according to God's Holy Ordinance, and thereto he plights thee his Troth by me, by Virtue of the said Letters of Procuration.

Then their Hands being withdrawn from each other, her Royal Highness the Princess *Mary* did immediately with her Right-hand take the Duke of *Cumberland* as Procurator to Prince *Frederick of Hesse* by his Right-hand, and in the same Manner as above-said, repeated the Words following:

I *MARY*, do by you *William Duke of Cumberland*, duly authorised and appointed for this Purpose, by Virtue of the Letters of Procuration now read and published, take the most serene Prince *Frederick of Hesse Cassel*, to be my wedded Husband, To have and to hold, from this Day forward, for better for worse, for richer for poorer, in Sickness and in Health, to love, cherish, and obey, till Death me and him do part, according to God's Holy Ordinance, and thereto I give him my Troth, by you his Procurator.

Then the Duke of *Cumberland*, as Procurator to Prince *Frederick of Hesse*, signed the Instrument of Contract, the Words of which she had said and repeated; and they mutually exchanged the said Instruments, the same having been first attested by Dr. *Paul*, his Majesty's Advocate General, and *Edward Greenly*, Esq; his Majesty's Procurator General, Notaries Publick.

After which, his Royal Highness the Duke did, in the Name of the most serene Prince *Frederick of Hesse*, put a Ring on the fourth Finger of the Princess *Mary*'s Left-hand; and in the same Manner as abovesaid, repeated the Words following.

THE most serence Prince *Frederick of Hesse Cassel*, by me *William Duke of Cumberland*, duly authorized for this Purpose, by Letters of Procuration now read and published, doth present and deliver this Ring to thee Princess *Mary*.

Then her Royal Highness the Princess *Mary* accepting the Ring, repeated in the same Manner the following Words.

I *MARY*, do accept from the most serene Prince *Frederick of Hesse Cassel*, this Ring, delivered to me

me by you *William Duke of Cumberland*, his Procurator.

Then his Grace the Lord Archbishop of *Canterbury* audibly pronounced the following Speech and Benediction.

IS, quibus privatorum hominum Nuptiis, vel Sponsalibus, datur interesse, haud quidquam fere prius est, vel solennius, quam ut Sponsi Sponsaque Indole, Moribus, toto denique anteactæ Vitæ decursu, perpensis, eorum futuræ Felicitatis Omina captent. Hæc Parentibus, hæc Amicis gratulantur; hæc aliis passim prædicant.

Quem morem, si aliæ unquam, hoc certe tempore, atque hoc loco, sequendum monent, suadentque, cum egregiæ magnanimi juvenis, quas fando accepimus, virtutes, tum spectata Regiæ Virginis Modestia, insignis morum Probitas, ac mite illud Ingenium, quod suscipimus, quod miramur, quod ei cum aliis admodum paucis commune est.

Quæ vero, quantaque felicitas est, quam ex his animi Virtutibus sperare non liceat? De Corporis enim Dotibus tacemus, quanquam hæ quoque eximiae sint, & omnium oculos in se trahant. Majora nos vocant; quæ ad veræ Religionis tutamen, publicæ Libertatis defensionem, nec hujuscet tantum Regni aut Hassiacæ ditionis, sed universæ etiam Europæ utilitatem atque salutem spectant, quibus omnibus, per hæc sponsalia, quoad humanum ingenium assequi potuit, sapienter admodum, ac perindè feliciter (sic enim augurari liceat) provisum est.

Vobis igitur, qui læti hic adestis, omnibus, reliquisque concivibus nostris, quibus nolentibus atque invitis à solenni hoc Conventu abesse contigit, de prosperis tantarum rerum principiis, vere atque ex animo gratulamur, quibus parem etiam exitum, favente Deo, non defuturum confidimus.

Tibi vero, Regum optime ac maxime, Patriæ nostræ Pater, Decus atque Columna, gratias, quas possumus, maximas habemus, agimusque, quod nihil humile sentiens, nihil a tanto illo fastigio alienum, ad quod te rerum omnium Arbitrus, nobis summe benevolus, evexit,

nostræ saluti semper invigiles, nec, vel in privatâ tuâ
Domo (siquid privatum dicere liceat, quod talis tanti-
que Regis intersit) agi quicquam, aut suscipi patiaris,
nisi quod publicæ etiam Utilitati inserviat. Deum igi-
tûr, Cœli Terraqe Conditorem, ardentissimè preca-
mur, ut Te nobis, Domine, diutissimè servet incolu-
mem; ut Regiæ Tuæ Familiae universæ semper adsit
propitius; ac Vota vestra omnia, hodierna præcipue, se-
cunder.

Quòd denique, in hoc tanto illustrium Virorum ac
Fœminarum Choro, nemo sit, qui nobiscum non com-
preecerit, vernaculo nostro sermone utentes.

Let us pray.

THAT God the Father, God the Son, and God
the Holy Ghost, Three Persons and One God,
would bless these Espousals; that he would make them
prosperous to his Church, to these Kingdoms, and to
the Dominions of Hesse; and that he would direct them
to the temporal and eternal Welfare of the two illus-
trious Persons now espoused and engaged to each other.
Amen.

After which an Anthem was sung. And a proper In-
strument, attesting that the Ceremony was performed in
the Manner abovementioned, was signed by the follow-
ing Persons, in the Presence of Dr. Paul and Mr. Green-
hy, Notaries Publick, who attested the same.—*Cath-
cart, H. Hereford, Ilay, Romney, Cadogan, Lovel, Will.
Yonge, Kinnoul, Cha. Wager, Egmont, Lonsdale, Dacie,
Danmore, Marlborough, Malton, Rockingham, Rothes,
Jf. Asaph, Gallway, H. Pelham, N. St. Davids, E.
Dunesme, Matt. Landaff, J. Bristol, Ric. Lit. and Cov.
Loudoun, Cornwallis, Harcourt, Tho. Oxford, Tho. Ban-
gor, A. Donop, Jos. Roffen, J. H. Alt, Fitzwalter,
Holderneſſ, Harberough, Cranſtoun, Monſon, De Lau-
warr, S. Beauclerk, V. C. Conway, Brooke, Pemb. and
Mort. Lothian, Cholmondeley, Torrington, Cowper, Gor-
don, Tho. Norwich, Albemarle, Montague, St. Albans,
Rochford, H. Walpole, Jo. Cant. Hardwicke, C. Wil-
mington, P. Hervey, C. P. S. Dorſet, Grafton, Richmond,
Lenox and Aubigny, Bolton, Essex, Tylney, Kingſton,
Leeds, Devonshire, Effingham, Portland, M. Glouceſter,
Lymington, Fauconberg.* The

The following Translation of the Archbishop's *Latin* Speech on this Occasion, may be agreeable to some of our Readers.

AT the Marriages or Espousals of private Persons, there is scarce any thing more regarded, or usual, than for those who have the Favour of being present, to form Conjectures of the future Happiness of the Bridegroom and Bride, from a due Consideration of their Tempers, Manners, and past Course of Life; and upon such Conjectures they not only congratulate with their Kindred and Friends, but they publish them to others abroad.

Which Custom, if ever there was a Reason for it anywhere, we are surely both admonished and persuaded to follow at this Time, and in this Place, not only by the eminent Virtues of the magnanimous Youth whereof we have heard by Fame, but by that Modesty so conspicuous in the Behaviour of the Royal Virgin, by her remarkable Probity, and by that sweet Temper of hers which captivates our Love and Admiration, and in which very few equal her.

What Happiness therefore may we not expect from these Virtues of the Mind? As to the Advantages of her Person, though these also are excellent, and attract the Eyes of all, we say nothing. Matters of greater Importance call for our Attention; such as regard the Protection of the true Religion, the Defence of publick Liberty, and the Benefit and Safety not only of this Kingdom or of the Dominion of *Hesse*, but even of all *Europe*; for every one of which the wisest, and (we may venture to foretel) the happiest Provision is made by these Espousals, that could possibly be obtained by human Wisdom.

With all you therefore who have the Pleasure of being here present, and the rest of our Fellow Subjects who sorely regret their Absence from this solemn Assembly, we truly and heartily congratulate on the prosperous Beginning of such a weighty Affair, in confidence that by the Blessing of God it will not fail of a happy an Issue.

But

But to you, O King! of Monarchs the best and greatest, of our Country the Father, Glory and Pillar, with the most grateful Hearts we render Thanks, that, without thinking it a Diminution, or foreign to that high Dignity, to which the Disposer of all Things has, in his great Goodness to us, advanced your Majesty, you are always watching diligently for our Safety, and that even in your private Family (if it may be allowed to call any Thing private which concerns such and so great a King) you don't suffer any Thing to be done or undertaken but what may also tend to the Good of the Publick. Therefore to God, the Creator of Heaven and Earth, we most ardently pray, that he will very long preserve you, *Sir*, in Safety for our Sakes; that he may be ever propitious to all your Royal Family, and crown all your Wishes, especially those of this Day, with Success.

And lastly, to the End that in this so grand a Choir of illustrious Persons of both Sexes, every one may offer their joint Supplications, in our Mother Tongue, *Let us pray, &c.*

On the Saturday following, the Lord Mayor and Aldermen of the City of *London* waited upon his Majesty with their Compliments upon this Occasion, when *John Strange, Esq;* their Recorder, made the following Speech to his Majesty.

May it please your most excellent Majesty,

“ *T*O permit the Lord Mayor and Aldermen of your great City to approach your Majesty, with their humble and sincere Congratulations upon the Espousals of her Royal Highness the Princess *Mary* with his most Serene Highness Prince *Frederick of Hesse*. This happy Event your loyal Subjects consider as a farther Instance of your Majesty's steady Attention to the Honour and Interest of your Crown and Kingdoms, and of your Care and Regard for the Protestant Cause.

“ The Subjects of *Great Britain* can never sufficiently adore the Divine Providence, for those numerous Pledges of their future Security, which your Majesty and these Nations are so happily blessed with, and which,

which, to all human Appearance, promise a lasting Continuance of your Royal House: But such, Sir, is to them the Importance of still adding Strength to this Security, that they would ill deserve the Blessings they enjoy, if they did not upon this and every such Occasion testify, with the utmost Gratitude, their unfeigned and most dutiful Rejoicings. And what, Sir, is it that *Great Britain* may not promise herself from the glorious Prospect that is now before her? Your Majesty's Arms, so remarkably successful in vindicating the Rights of *Great Britain*; and your Royal Progeny going forth, the brightest Examples of a Mind formed by Religion and Virtue, and of an Education received upon the true Principles of Liberty.

This, great Sir, is undoubtedly owing to the illustrious Pattern your Majesty and your late Royal Consort set before them; and may God grant, that your Royal House may for ever supply the great Protestant Families of Europe with such invaluable Blessings, as are now secured to his most Serene Highness, the Prince of Hesse.

To which his Majesty return'd this most gracious Answer.

I Return you my Thanks for your dutiful Congratulations upon the Espousals of my Daughter with the Prince of Hesse. You may always depend upon my Favour and Protection.

They all had the Honour to kiss his Majesty's Hand. They afterwards waited upon the Princess Mary, when the Recorder made the following Speech to her Royal Highness.

May it please your Royal Highness,

THE Lord Mayor and Aldermen of his Majesty's great City beg Leave to express the Joy they feel upon your Royal Highness's Espousals with his most Serene Highness Prince Frederick of Hesse: This Alliance so wisely calculated for the further Security of the Protestant Interest, cannot fail to excite in his Majesty's faithful Subjects, the humblest Acknowledgments

ledgments to the Divine Providence, and the most grateful Sense of his Majesty's Goodness.

Your Royal Highness is now going to meet a Prince of a most illustrious House, whose Ancestors have worn both the Imperial and Royal Diadem, and who, to all this, can add the Lustre of the highest personal Accomplishments; a Prince, who must and will own, that it is to *Great Britain* he is indebted for his future Felicity, and who is now impatiently waiting to receive that greatest of earthly Blessings, a Consort emulating the Virtues of her Royal Parents.

Permit these, Madam, to express their firm Assurance, that in the Midst of all your Greatness your Royal Highness will never forget this the Land of your Nativity: And though *Great Britain* is thus by Degrees deprived of her Daughters, yet it will be her Consolation to see them so deservedly placed at the Head of the most considerable Protestant Families in *Europe*.

We most earnestly implore the Giver of all good Gifts to bless your Royal Highness with a numerous Offspring, and his most serene Highness and them with the long Enjoyment of so inestimable a Treasure, as his Majesty has now bestowed upon them.'

To which her Royal Highness gave the following Answer.

I AM very thankful to you for your Congratulations upon this Occasion. You may be assured of my sincerest Wishes for the Welfare and Prosperity of the City of London.

They had likewise the Honour to kiss her Royal Highness's Hand.

Friday, June 7th, About five o'Clock in the Morning, her Royal Highness, accompanied by his Royal Highness the Duke, and attended by the Dukes of Newcastle and Grafton, her Grace the Duchess of Dorset, and the Lady Caroline Sackville, set out from St. James's for Greenwich, when her Royal Highness embarked on board the *Mary Yacht*, and sailed that Evening about eight o'Clock for *Holland*, in her Way to the Court of *Hesse*. Tuesday

Tuesday, May 13th, Between five and six in the Morning, his Majesty crossed the Thames at Whitehall, and went in one of his Coaches to Gravesend, there to embark for Holland in his Way to Hanover. His Majesty's Journey to Hanover.

He went directly on board one of the Yachts, which were there waiting for him, but the Wind did not turn favourable till Thursday the 22d in the Afternoon, when the Yachts and Men of War attending them set sail, and on Saturday Morning at eight o'Clock his Majesty was safely landed at Helvoet Sluyce, from whence he set out directly for Hanover.

On the 25th in the Evening an Express from the Lord Harrington, Principal Secretary of State attending his Majesty, arrived, with an Account of his Majesty's being safely landed in Holland, and next Morning the Lord's Justices, appointed by his Majesty, met at the Cock-pit, and opened their Commission. The Lords Justices appointed upon this Occasion were as follows, viz.

John Lord Archbishop of Canterbury.

Philip Lord Hardwicke, Lord Chancellor.

Spencer Earl of Wilmington, Lord President.

John Lord Hervey, Lord Privy Seal.

Lionel Cranfield, Duke of Dorset, Lord Steward.

Charles Duke of Grafton, Lord Chamberlain.

Charles Duke of Richmond, Master of the Horse.

Charles Duke of Bolton.

William Duke of Devonshire, Lord Lieutenant of Ireland.

John Duke of Montagu, Master General of the Ordnance.

Thomas Duke of Newcastle, one of his Majesty's Principal Secretaries of State.

Henry Earl of Pembroke, Groom of the Stole.

Archibald Earl of Hay.

William Lord Harrington, one of his Majesty's Principal Secretaries of State.

Sir Robert Walpole, first Commissioner of the Treasury.

And,

Sir Charles Wager, Knt. first Commissioner of the Admiralty.

Monday, October 13th, his Majesty landed at Margate in his Return to his British Dominions; and as there were none of his own Coaches there waiting for him, he was received from the Boat, which brought him to the Shore, into a Chaise belonging to Mr. Carr, Collector of the Customs at Deal, which carried him to Capt. Hercules Baker's, and in his Chariot his Majesty was carried to Canterbury, where he was taken up by his own Coaches, and about nine at Night arrived safe and in good Health at St. James's.

The Sheriffs appointed for England and Wales by his Majesty for this Year were as follow, viz.

Sheriffs appointed.

<i>Anglesea,</i>	Robert Owen of Pencaig, Esq;
<i>Berkshire,</i>	Robert Lee, Esq;
<i>Bedfordsire,</i>	John Franklin, of Great Barford, Esq;
<i>Brecon,</i>	William Vaughan, of Tregare, Esq;
<i>Buckingshire,</i>	Tho. James Selby, of Wavendon, Esq;
<i>Cambridge and Huntingdon,</i>	John Cole, of Fenton, Esq;
<i>Cardigan,</i>	Thomas Jones, of Verdreste, Esq;
<i>Carmarthen,</i>	John Prothero, of Lanvalsteg, Esq;
<i>Carnarvon,</i>	Rice Williams, of Glynrafan, Esq;
<i>Cheshire,</i>	John Spencer, of Huntingdon, Esq;
<i>Cornwall,</i>	Francis Lewellin Leach, of Trethewell, appointed by his Royal Highness the Prince of Wales.
<i>Cumberland,</i>	Richard Cook, of Cammerton, Esq;
<i>Denbigh,</i>	John Williams, of Place Ucha, Esq;
<i>Derbyshire,</i>	Godfrey Clarke, of Chilcot, Esq;
<i>Devonshire,</i>	John Luscomb, of Comb Royal, Esq;
<i>Dorsetshire,</i>	Thomas Dibbin, Esq;
<i>Essex,</i>	Sir Thomas Drury, Bart.
<i>Flint,</i>	Tho. Wynne, Jun. of Kwynegrin, Esq;
<i>Glamorgan,</i>	Richard Turbeville, of Wenny, Esq;
<i>Gloucestershire,</i>	Ed. Rogers, of Newent, Esq;
<i>Heresfordsire,</i>	Bartholomew Richard Barneby, Esq;
<i>Hertfordsire,</i>	William Shaw, Esq;
<i>Kent,</i>	John Smith, of Lee, Esq;
<i>Leicestershire,</i>	William Newland, Esq;
<i>Lincashire,</i>	Richard Poptewill, Esq;
<i>Merioneth,</i>	Thomas Pryse, of Rhug, Esq;
<i>Monmouthshire,</i>	Thomas Evans, of Langattock, Esq;

<i>Montgomery,</i>	Thomas Foulkes, of Penthrlyn, Esq;
<i>Norfolk,</i>	Henry Negus, Esq;
<i>Northamptonshire,</i>	Sir Thomas Palmer, Bart.
<i>Northumberland,</i>	George Shaftoe Delavalle, of Bavington, Esq;
<i>Nottinghamshire,</i>	John Story, Jun. Esq;
<i>Oxfordshire,</i>	Philip Powis, Esq;
<i>Pembroke,</i>	William Warren, of Langridge, Esq;
<i>Radnor,</i>	Mansel Powel, of Llanbedder Pain-
	castle, Esq;
<i>Rutlandshire,</i>	Edmund Sistney, Esq;
<i>Suffolkshire,</i>	Richard Stanier, of Pepper Hill, Esq;
<i>Somersetshire,</i>	John Freke Brickdale, Esq;
<i>Southampton,</i>	Tho. Miffling, of Stubbington, Esq;
<i>Staffordshire,</i>	Theodore William Inge, Esq;
<i>Suffolk,</i>	Edmund Jenny, of Bredfield, Esq;
<i>Surrey,</i>	Wm. Browning, of Bermondsey, Esq;
<i>Sussex,</i>	John Payne, of Leggsheath, Esq;
<i>Warwickshire,</i>	William Dilke, Esq;
<i>Wiltshire,</i>	Edward Mortimer, Esq;
<i>Worcestershire,</i>	Richard Roberts, Esq;
<i>Yorkshire,</i>	Sir Sam. Armytage, of Kirklees, Bart;

Saturday, December 27th, His Majesty's Proclamation was published for a general Fast, to be observed on Wednesday the 4th Day of February then next, in order to obtain Pardon for our Sins; and in the most devout and solemn manner, to send our Prayers and Supplications to the Divine Majesty, for averting those heavy Judgments, which our manifold Sins and Provocations most justly deserved; and for imploring his Blessing and Assistance to our Arms, and that he would restore and perpetuate Peace, Safety, and Prosperity to us and these Kingdoms.

Fast ap-
pointed.

Upon this Proclamation some Gentlemen were so witty as to observe, that our Government had already in this War given us two Days of Fasting*, but had not taken Care to give us one Day of rejoicing; in which our Conduct was very different from what it was in the War in Queen Anne's Time, when we had but few Fasts, whereas every Campaign furnished us with two or three Days of rejoicing.

* See *Annals* for last Year, Vol. I. Pag. 186.

Respect
shewn by
the Prince
of Wales to
the Memory
of King
Alfred.

Friday, August 1st, Being the Day of his late Ma-jesty's Acceſſion to the Crown, there were very great Rejoicings at *Cleſdon* Houſe, where his Royal High-ness the Prince of Wales then reſided, and at Night was performed in the Gardens there a new Mask or two Acts, taken from the various Fortunes of *Alfred* the Great, wrote by Mr. *Thompson*; as also a Mask of Muſick, called, *The Judgment of Paris*, wrote by Mr. *Dryden*; and the Entertainment was concluded with ſeveral Scenes out of Mr. *Riab's* Pantomime Entertainments. This I take particular Notice of, because I think it a good Omen for the Liberties of *Great Britain*, and it may recommend to my Countrymen the Study of the History of that great and famous King, who did not employ his Reign in oppreſſing the Liberties of his Subjects, but in reſtoring and eſtabliſhing them in as firm a Manner as could be contrived by human Invention. It has been, and is ſtill a Misfortune to this Nation, that the Form of Government and Laws eſtabliſhed by that wise Prince have not been fully or clearly transmitted down to Posterity; but ſtill we have as much of them as may give us ſome Idea of our original Conſtitution; and therefore it is ſurprizing, that thoſe who aim at reſtoring our original Conſtitution, and reforming the Abuses crept into our Government, ſhould never think of extending their Inquiries beyond the Conqueſt, which totally overthrew King *Alfred's* Form of Government, and eſtabliſhed in it's ſtead as arbitrary and despotick a Form of Government as had ever been eſtabliſhed in any Country. This Form, 'tis true, did not long ſubſift; for the great Men who had been Sharers with *William of Normandy* in his Conqueſt, and had eſtabliſhed their Families in this Kingdom: They, I ſay, or their Successors ſoon put an End to the despotick Power of the Crown; but as it was againſt their Interest, they took Care not to reſtore the popular Part of our Government, which had been eſtabliſhed by King *Alfred*, and confirmed by *Edward the Confeſſor*. And if ever this popular Part be reſtored to it's ancient Form and Lustre, which, with ſome Alterations ſuitable to our preſent Circumstances, it muſt be, if we have a Mind to reſtore and eſtabliſh our Liberties, we muſt carefully ſtudy the Hiſtory and Laws of King *Alfred*.

To

Towards the latter End of April, a Report prevailed about Town, that the Duke of Argyle and Greenwich, as eldest Field Marshal, was to have the chief Command of all our Forces, and under his Majesty to have the chief Direction of all our warlike Affairs. As his Grace's Experience and Capacity were well known, and as he had always declared himself for the most vigorous Measures, both with regard to our War with Spain, and with regard to our ancient Allies in Europe, this Report was received with great Joy amongst the Generality of People; but on the first Day of May, we were surprised with the News, that his Grace had been removed from all the Employments he held at the Pleasure of the Crown. Several Reasons were assigned for this Removal; and some upon the best Authority; but as they are of too high and delicate a Nature for me to give an Account of, or make Remarks upon, I shall leave them to future Historians, when the Truth may be told without Danger*.

Duke of Ar-
gyle re-
moved.

About the Beginning of this Year, Letters Patent passed the Great-Seal, for establishing a civil Government at Gibraltar, and for constituting Robert Robinson, Esq; (Recorder of Scarborough) Chief Judge in all Civil and Criminal Causes there; but I do not hear that this Gentleman has as yet set out, or that those Letters Patent have as yet taken Effect; nor do I hear that any such Establishment has as yet been thought of for the Island of Minorca, where it seems to be more necessary than at Gibraltar; because the Extent of our Territory is larger, and contains a much greater Number of Inhabitants.

Civil Go-
vernment
established
at Gibraltar.

The Scheme of the Lottery appointed this Year by Bridge Lot. Act of Parliament to be drawn, for raising a Sum of tery. Money to be applied towards building the Bridge at Westminster, was as follows, viz.

* See Annals for last Year, Vol. I. p. 68, 74. See before, p. 6. 48.

	L.	L.
2 of 10000	are	20000
2 5000		20000
2 3000		6000
4 2000		8000
24 1000		24000
30 500		15000
200 100		20000
500 50		25000
4000 20		80000
11550 10		115500
16314 Prizes amounting to		323500
48686 Blanks.		
First Drawn	—	500
Last Drawn	—	1000
65000 Tickets, at 5 l. each		325000

From whence the Reader will see, that there was very little Difference between this Scheme and that for last Year; the chief Alteration being that of the last Ticket, which was not such a Fool's-Trap as it was in the preceding Year; and the Prizes were as formerly to have 5*l. per Cent.* deducted for building the Bridge. On the 8th of December the Lottery began to be drawn, when the Tickets sold at five *Gummas* each, so that the original Subscribers had five *Shillings* Profit upon each Ticket, besides the 5*l. per Cent.* they were allowed upon subscribing; but before the End of the Year when the Lottery was not near finished, the Tickets rose to 5*l. 17 s.* and no wonder they should; for upon the last Day of drawing the Lottery for the preceding Year, which was not till the 25th of January this Year, the Tickets sold from 15 to 22*l.* each; which vast Rise was chiefly occasioned by the last drawn Ticket's being entitled to a Prize of 5000*l.*

March 26th, the Corporation of the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, held their stated Quarterly General Meeting after *Lady-day*, pursuant to their Charter, and referred it to the Committee

mittee for transacting the Affairs of the Hospital, to consider of a Plan for beginning to execute this Charity; at which Meeting several more Benefactions were given, and annual Contributions subscribed by the Governors themselves; and the following Gentlemen were elected Governors of the said Corporation, *viz.*

Sir Joseph Ayliffe, Bart.	<i>William Green, Esq;</i>
Sir John Chapman, Bart.	<i>David Heschletter, Esq;</i>
Sir W. Leman, Bart.	<i>Henry Johnson, Esq;</i>
Sir Tho. Robinson, Bart.	<i>Beeston Long, Esq;</i>
William Adair, Esq;	<i>Samuel Shephard, Esq;</i>
Joshua Baker, Esq;	<i>Mr. Joseph Smith.</i>
Henry Bromley, Esq;	<i>Daniel Wray, Esq;</i>
Peter Godfrey, Esq;	<i>Mr. Frederick Zink.</i>

May 14th, The said Corporation held their Yearly General Meeting pursuant to their Charter, and elected, by Ballot, for the Year ensuing,

His Grace John Duke of Bedford, President.

Vice-Presidents,

Lord Vere Beauclerk,	<i>Peter Burrell, Esq;</i>
Micajah Perry, Esq;	<i>Sir Jacob Bouvier, Bart.</i>
Martin Foulkes, Esq;	<i>John Milner Esq;</i>

Lewis Way, Esq; Treasurer.

And the said Officers, with the forty-two following Members of the said Corporation, were elected to compose the Committee for directing, managing, and transacting all the Business, Affairs, Estate, and Effects of the said Hospital, *viz.*

Duke of Richmond,	<i>Lord Gower,</i>
Duke of Montagu,	<i>Lord Lovell,</i>
Duke of Portland,	<i>Mr. Alderman Arnold,</i>
Earl of Chesterfield,	<i>Dr. Avery,</i>
Earl of Cholmondeley,	<i>Richard Buckley, Esq;</i>
E. of Findlater and Seafield,	<i>Mr. Thomas Coram,</i>
Lord Viscount Torrington,	<i>Mr. Roger Drake,</i>
Lord Delawar,	<i>William Fawhener, Esq;</i>

Mr. John Fell, jun.	Col. John Mordaunt,
Sir Joseph Hankey,	Dr. Nesbit,
John Hollister, Esq;	Mr. Nath. Newnham, jun.
Thomas Hucks, Esq;	Nathaniel Paice, Esq;
Robert Hucks, Esq;	Mr. Peter Saintbill,
Alex. Hume Campbell, Esq;	Sir Hans Sloane, Bart.
Theodore Jacobson, Esq;	Harry Spencer, Esq;
Matthew Lamb, Esq;	The H. Jam. Vernon, Esq;
John Larocbe, Esq;	General Wade,
Samuel Lessingham, Esq;	Sir Charles Wager,
Sir James Lowther, Bart.	Anthony Walburge, Esq;
James Martin, Esq;	Taylor White, Esq;
Dr. Mead,	William Woolaston, Esq;

And Mr. Harman Vereleft was, by Ballot, continued Secretary to the said Corporation. The same Day they came to an unanimous Resolution, that sixty such Children be taken in, with proper Officers, Nurses and Servants, as soon as conveniently may be; and referred it to their Committee to consider of carrying their said Resolution into Execution.

June 25th, The following Gentlemen were elected Governors and Guardians of the said Hospital at their Quarterly Meeting then held, viz. the Right Hon. Sir John Salter, Knt. the Hon. Sir William Barker, Bart. of Ringsale Hall, in Suffolk; John Brown, Esq; of Leesthorpe in Leicestershire; Pleydell Goddard, Esq; of Swindon in Wilts; Mr. Thomas Lane, of Cornhill, London; James Smyth, Esq; of the Middle-Temple; Mr. John Wenham, of London; and James West, Esq; of Lincoln's-Inn.

October 1st, The Governors and Guardians of the said Hospital, held their next Quarterly General Meeting, at which they received the Report of their Committee for settling the Plan for the immediate Execution of this Charity, by taking in as far as sixty Children, as soon as the Corporation can be ready to receive them; and after some Amendments made to the said Plan, approved thereof, and gave Leave for the printing it. And it being moved for a Book to be opened for receiving Subscriptions, to purchase Land, and build an Hospital for transferring the said sixty Children to, and taking in a larger Number, as the Corporation shall be enabled,

abled, the same was ordered, and several of the Governors and Guardians subscribed thereto.

October 31st, At a General Meeting of the said Corporation, summoned by Order of his Grace the Duke of Bedford, the President, to be held on special Affairs, it was resolved, That the General Committee be empowered to purchase of the Earl of *Salisbury* his two Pasture Fields, containing about 34 Acres of Land, on the North Side of *Ormond-Street*, between *Lamb's Conduit* and *Southampton-Row*, for a Scite to build an Hospital upon. That the said Committee be empowered to do all Things necessary for building an Hospital, as soon as the said Land shall be purchased. The said Committee was thereupon ordered to meet on the *Wednesday* following, for executing the said Resolution with all convenient Speed.

And about the Beginning of *December*, they hired the House in *Hatton-Garden*, where the late Sir *Fisher Tench*, Bart. last lived, which they ordered to be fitted up with all Expedition, for receiving thereinto as many young Children as it could contain, until they should be enabled to build a proper Hospital.

Complaint having been made to the Lords of the Admiralty, that the Gunpowder made Use of by the three Men of War, the *Orford*, *Kent*, and *Lenox*, when they took the *Princessa*, as by a pretended Trial made thereof, was weaker than the Powder taken in the *Princessa*, in the same Proportion that seven bears to twelve; it was therefore thought proper that a more publick and unexceptionable Trial should be made of the same Gunpowder. In order thereto some was taken out of each of the above Ships, put into four Boxes at *Portsmouth*, which were sealed up by some Officers of the Navy and Ordnance, and sent to Town; and on Friday last broke open and tried at *Woolwich*, before his Grace the Duke of *Montagu*, Master-General, the Lieutenant-Generals, and the rest of the principal Officers of his Majesty's Ordnance, Sir *Charles Wager*, Lord *Vere Beauclerc*, and another Lord of the Admiralty, General *Borgard*, some Captains of Men of War, and several other Persons of Distinction, in the three following Manners: The first was by raising a Weight of 20 lb. 7 oz. with two Drachms of Powder;

Powder Trial.

the

the second by firing a twelve-pounder Shot out of a 5 $\frac{1}{2}$ Inch Mortar, with a Quarter of an Ounce of Powder; and the third was by firing a half-pounder Shot out of a Swivel Gun, with two Drachms of Powder; in all which Trials, the *English* Powder, without any Fuddle, and to the entire Satisfaction of the several illustrious and other Spectators, proved stronger than, and more preferable to the *Spaniard*, than this had been injudiciously reported to have excelled the *English*. In proving by the Swivel Gun, with a Quarter of an Ounce of Powder, the *English* Powder threw the Ball 15 $\frac{1}{2}$ Foot at an Elevation of 61 Degrees, and the *Spaniard* had not Strength enough to throw it out of the Gun; in trying it by raising the Weight, the *English* Powder raised it from four Inches to six and some Tents, and the *Spanish* to no higher than one Inch and nine Tents; and the Trial by the Mortar turned out equally in Favour of the *English* Powder.

In order to have made this Trial the less suspicious, the Powder should have been taken out of the two Ships, and sealed up by Gentlemen not at all concerned with the *Navy* or *Ordnance*, nor depending upon those that have the appointing of those Officers; for if insufficient Powder was put on Board any of our Ships of War, it must have been put there by some of the Officers of the *Navy* or *Ordnance*, or some of their Friends, and therefore none of them should have been intrusted with the sealing up of the Boxes; because after the Powder was taken out of the Ships, it was easy for them to change it, as it was not, by this Account, sealed up on Board the respective Ships, and in Presence of our honest Sailors then on Board.

Mrs. Stephens receives her Reward.

March 17th, Mrs. Stephens received the 5000*l.* Reward, assigned her by Act of Parliament on the Discovery of her Medicines for the Stone, and Proofs made of their Utility, Efficacy, and dissolving Power. And the following Accounts relating thereto were published by Order of the Trustees named in the said Act.

At a Meeting of the Trustees appointed by an Act of Parliament to examine Mrs. Stephens's Medicines, on Wednesday March 5, 1739-40, in the Prince's Chamber adjoining to the House of Lords, four Persons appeared

peared before them on whom these Medicines had been tried, viz.

1. Mr. Gardiner of Fetter-Lane, aged 61, who had the usual Symptoms of a Stone in the Bladder, with violent Pains for several Years. He was searched by Mr. Nourse, Surgeon, Dec. 30, 1738, when both he and Mr. Wall, Apothecary, felt a Stone in the Bladder. Mr. Gardiner took the Medicines about eight Months, voided many Pieces of Stone in that Time, was freed from all his Symptoms, and being searched again, first by Mr. Sharp, Sept. 14, 1739, and then on the 30th of November following by Mr. Nourse, Mr. Cheseelden, Mr. Sainthill, and Mr. Belcher, Surgeons, at Child's Coffee-house in St. Paul's Church-yard, no Stone could be found.

2. Peter Appleton, of Black-Friers, aged 67, who had the Symptoms of a Stone in the Bladder for more than seven Years, with excessive Pains for the five last Years of that Time. He was searched July 6, 1739, by Mr. Sharp, and found to have a Stone in the Bladder, which Stone was also felt by Dr. Pellet, Dr. Neatby, Dr. Whitaker, and Dr. Hartley, and judged by all present to be a large one. He took the Medicines for about five Months, during which Time he voided a large Quantity of Stone in Flakes and small Fragments. He grew quite free from all his Complaints, and was searched again, first by Mr. Sharp, Nov. 9, and afterwards by thirteen Physicians and Surgeons, Nov. 30, at Child's Coffee-house in St. Paul's Church-yard, but no Stone could be found.

3. Henry Norris, of Leather-Lane, aged 55, who had the Symptoms of a Stone in the Bladder for about a Year and half. Aug. 17, 1739, he was searched at St. George's Hospital by several Physicians and Surgeons, who all felt the Stone. He took the Medicines about four Months, and voided only a thick Sediment in that Time, however he was entirely freed from all his Symptoms; and being searched again, Dec. 14, at St. George's Hospital, by eight Physicians and Surgeons, no Stone could be found.

4. William Brighty, of Colchester, aged 79, who had the Symptoms of a Stone in the Bladder for more than

three

three Years. He was searched Sept. 8, 1739, at Guy's Hospital, by Dr. Gardiner and Mr. Sharp, and found to have a Stone. He took the Medicines for about four Months, voided many Pieces of Stone during that Time, became free from all his Symptoms, and being searched again at Guy's Hospital, Jan. 19, 1739-40, by Dr. Gardiner, Mr. Sharp, and Mr. Belcher, no Stone could be found.

After these Persons and other Evidence had been produced, the following Certificate, being that which is required by the Act of Parliament, was signed by all the Trustees that were present at this Meeting, except Dr. Pellet and Dr. Nebit, who having some Doubts with Respect to the Words Dissolving Power, chose to give the separate Certificates hereunto annexed.

The Certificate required by the Act of Parliament.

March 5, 1739.

We whose Names are underwritten, being the major Part of the Trustees appointed by an Act of Parliament, entitled, *An Act for providing a Reward to Joanna Stephens, upon a proper Discovery to be made by her, for the Use of the Publick, of the Medicines prepared by her for the Cure of the Stone*, do certify, that the said Joanna Stephens did, with all convenient Speed after the passing of the said Act, make a Discovery to our Satisfaction, for the Use of the Publick, of the said Medicines, and of her Method of preparing the same; and that we have examined the said Medicines, and are convinced by Experiment of the Utility, Efficacy, and dissolving Power thereof.

Jo. Cant.	Tho. Oxford.
Hardwicke C.	Steph. Poyntz.
Wilmington P.	Stephen Hales.
Godolphin C.P.S.	Jo. Gardiner.
Dorset.	Sim. Burton.
Montagu.	Peter Shaw
Pembroke.	D. Hartley.
Baltimore.	W. Chafelden.
Cornbury.	C. Hawkins.
M. Gloucester.	Sam. Sharp.

Dr.

Dr. Pellet's Certificate.

I am satisfied from Experience, and do hereby certify,
That the Medicines published by Mrs. Stephens for the
Cure of the Stone in the Bladder, are often useful and
efficacious in that Case. Witness my Hand,

March 5, 1739.

Tho. Pellet.

Dr. Nesbit's Certificate.

The Case of *Appleton*, I take to be as strong a Proof
of the Utility and Efficacy of Mr. Stephens's Medicines
within the Meaning and Intent of the Act for providing
a Reward to *Joanna Stephens*, &c. as can be had from
one Experiment during the Life of the Patient, because I
am thoroughly satisfied that *Appleton* had a Stone in his
Bladder before he took the Medicines, and I do now be-
lieve he has not one.

March 5, 1739.

Robert Nesbit.

The new Sect called *Methodists*, continue their En-
deavours to propagate their Opinions and establish their
Sect; and their chief Preacher Mr. *Whitefield*, it must
be allowed, is still at great Pains to spread his Enthusi-
asm not only in *Britain*, but in our Plantations, through
which he has made a Progress. That Posterity may see
what a mad Way of thinking and speaking Enthusiasm
may drive a Man into, I shall record the two following
Pieces.

Accounts of
the Metho-
dists.

The first is a Letter from the said Mr. *Whitefield* to a
Friend at *London*, dated at *New-Brunswick* in *New-
Jersey*, April 27th, 1740.

BLESSED be God, I can send you glad Tidings
of great Joy: Our Lord Jesus is getting himself
the Victory in these Parts: The Orphan-House Affairs
go forwards beyond Expectation: I have upwards of
forty Children now in my House at *Savannah*, near
seventy Persons in Family, and upwards of a Hundred
to provide for every Day. As yet we want for no-
thing: The great Housholder of Mankind gives us
all

all Things ricbly to enjoy, and I am persuaded will provide for us whilst we trust in him. I had rather live by Faith, and depend on God for the Support of my present great and yet encreasing Family, than to have the largest visible Fund in the Universe. About five Weeks ago the Lord stirred up the Charles-Town People to contribute upwards of *seventy Pounds Sterling*, towards the Support of my little ones. A glorious Work was also begun in the Hearts of the Inhabitants, and many were brought to cry out, *What shall we do to be saved?* A Fortnight ago, after a short Passage of ten Days, I landed in Pennsylvania, and have had the Pleasure of seeing, and hearing, that my poor Endeavours for promoting Christ's Kingdom, when here last, were not altogether in vain in the Lord. I cannot well tell you how many have come to me, labouring under the deepest Convictions, and seemingly truly desirous of finding Rest in Jesus Christ: Several have actually received him into their Hearts by Faith, and have not only Righteousness and Peace, but also Joy in the Holy Ghost: In short, the Word has run, and been much glorified; and many Negroes also are in a fair Way of being brought Home to God. In my publick Discourses I have freely offered the Lord Jesus to them, if they will believe on him, and have actually taken up 5000 Acres of very good Land, in order to erect a School for the Education and Maintenance of all such Negroes, whether young or old, that shall be sent unto me: Young ones I intend to buy, and do not despair of seeing a Room full of that despised Generation, in a short Time, making Melody, with Grace in their Hearts, unto the Lord. Here also my dear English Friends, if Persecution should come upon them because of the Word, may find a Refuge from the Storm: The Land is good, and will yield a great Increase; and all may here worship God in their own Way. Many apply to me to have a Lot amongst us; but I defer giving them a positive Answer, till it shall please God to bring me back again from England: In the mean while I have ordered a House to be built, and some Land to be cultivated. If any of my Friends will be pleased to contribute towards carrying on the School for the poor Negroes, the Bearer of this, my dear Brother Seward, will

will bring it with him to Georgia: He comes to fetch
a Fellow-Labourer to supply my Place during my Ab-
sence. If he succeeds, you may expect to see me,
God willing, the Beginning of next Year; if not, I
shall continue in America, for an effectual Door is
opened for preaching the everlasting Gospel, and I daily
receive fresh and most importunate Invitations to
preach in all the Countries round about. God is pleased
to give a great Blessing to my printed Sermons: They
are now in the Hands of Thousands in these Parts,
and are a Means of enlightening and building up many
in their most holy Faith. Since such an effectual Door
is opened for preaching the Gospel, you will not be
surprized if I acquaint you there are many Adversaries:
But alas, what are they? Covetous, Proud, Boasters,
Self willed, Blasphemers, having a Form of Godliness
but denying the Power thereof. From such I am com-
manded to turn away; for if I pleased such Men, I
should not be the Servant of Jesus Christ. What most
of all grieves them, is my two Letters against Arch-
bishop Tillotson; the first you have already, the last I
now send you. I believe his Favourers will find it
difficult to answer the Extract taken out of Dr. Ed-
wards. God knows my Heart, I abhor Controversy
and Disputation; but my Master's Glory now calls
me to be more explicit than I have been yet; blessed
be his Name. Many who before were blinded by that
great Man, now see; and one of my Savannah Parish-
ioners, once a great Favourer of the Archbishop, and
a moral Man, being lately awaked, sent me seven-
teen Volumes of the Archbishop's Sermons, to be dis-
posed of as I pleased. I pray God in like Manner to
enlighten all others: For I am verily persuaded, when-
ever a Soul is truly converted to God, it can no more
bear the Writings of Archbishop Tillotson, than those
could bear to read the Books of curious Arts, who
brought and burnt them when converted by the Apostles;
the one is as great Poison as the other. And if I do no
other Good, I shall prevent our younger Clergy mak-
ing so free with the Archbishop as usually they do: For
now People begin to search his Writings, they will be
in more Danger of being detected, if they deliver the
Archbishop's Sermons, instead of their own Composi-
tions,

tions, from the Pulpit. The *Clergy*, I find, are most offended at me. The *Commissary of Philadelphia* having gotten a little stronger Party than when I was here last, has now thrown off the Mask, denied me the Pulpit, and last *Sunday* preached up an *Historical Faith and Justification by Works*. But People only flock the more: The *Power of God* is more visible than ever in our *Assemblies*, and more and more are convinced that I preach the *Doctrine of Jesus Christ*. The bigotted *Self-Righteous Quakers* now also begin to spit out a little of the Venom of the *Serpent*: They cannot bear the *Doctrine of Original Sin*, and of an imputed *Righteousness*, as the Cause of our Acceptance with God. One of their head Teachers calls *Original Sin, Original Nonsense*; and several have been to me under Apprehensions of being thrust out of their *Synagogues*, for owning and confessing the Truths I preach. I have not yet met with much Opposition from the *Dissenters*; but when I come to tell many of them, *Ministers* as well as *People*, that they hold the *Truth in Unrighteousness*, that they talk and preach of *Justifying Faith*, but never truly feel it in their Hearts, as I am persuaded Numbers of them have not, then they no doubt will shoot out their *Arrows*, even bitter *Words*; but I am not to have Respect to Persons, or Parties. I would preach the *Truth as it is in Jesus*; and as I love all that love him, so I must prove all that do not walk worthy of the holy *Vocation* wherewith they are called. God has now brought me to *New-Brunswick*, where I am blessed with the Conversation of Mr. *Gilbert Tennant*, mentioned in my last Journal. Indeed he is a good *Soldier of Jesus Christ*; and God is pleased; in a wonderful Manner, to own both him and his *Brethren*. The Congregations where they have preached have been surprisingly convicted, and melted down; they are unwearied in doing good, and go out as I do into the *Highways and Hedges to compel poor Sinners to come in*. Yesterday also I have heard of two *Ministers* in *Long-Island*, near *New-York*, who have had large Communications from God, and have been instrumental in bringing many *Souls to Christ*. Several other *Ministers* also have been much quickened: And one who had been a *Preacher*

for some Time, ingeniously confessed to his Congregation, that he had been deceiving himself and them, and desired those who had the Gift of Prayer to intercede in his Behalf. He is now under deep Convictions, and I believe will come out by and by, and powerfully preach the Gospel of Jesus Christ. But I must away: The People are waiting for a spiritual Meal: They fly to the Doctrine as Doves to the Windsors, and I trust the Lord is now reviving his Work in the midst of the Years. With great Difficulty I have redeemed Time to send you these few Lines: Particulars you may expect in my next Journal. I hope you and the rest of my dear Friends continue to pray for me, for I believe never was so weak a Wretch sent on such an important Errand: But when I am weak, then am I strong. My bodily Strength, by frequent journeying, and continued speaking, sometimes fails me; but the Lord quickens me above Measure, and strengthens me mightily with his Power in the inner Man. The more I am opposed, the more Joy I feel: And the first Fruits of God's Spirit, which he has imparted to my Soul, are so sweet, that I almost with Impatience wait till I reap a full Harvest in the Fruition of my God. By his Leave, in a Fortnight I return back to Georgia, and visit New-England at the latter End of the Year. Continue, I beseech you, to intercede for me, and rest satisfied, that both you, and my other English Friends, are always remembered by,

Your affectionate Friend, and Servant in Christ,

G. WHITEFIELD.

The said Rev. Mr. Whitefield having taken a young Man, Mr. Joseph Periam, who was Clerk to an Attorney, out of Bethlem-Hospital, and made him his Secretary for several Months, and now one of the School-masters at the Orphan-House in Georgia; it is thought proper to publish the following Letter, which Mr. Seward received from him at New-Brunswick in New-Jersey, the 26th of April last.

VOL. I.

T

Dear

' *Dear Mr. SEWARD,*

' GLAD I am of this Opportunity of writing to
' you, for indeed I find my Heart knit to you in
' the Bowels of Jesus Christ; O that I could but give
' you some Testimony of my Love! All that I can do
' at present, is to offer up my poor Petitions to our dear
' Lord in your Behalf, that as he has begun a good
' Work in your Heart, so it may be perfected in Glory.
' I am persuaded you, my dear Friend, are not behind
' Hand with me in this Particular; never did I see my
' Need of my dear Friend's Prayers for me more than
' I have of late: Blessed be God that I can feelingly say,
' that I am poor and miserable, and blind and naked, give
' Thanks for me my dear Friend for this rich Discov-
' ery, for I do not despair; no, there is one mighty and
' strong, both able and willing to supply all my Wants
' out of his Fullness! O what Thanks have I to render
' to him, who has purchased such free Access for us by
' the Shedding of his precious Blood! Oh, dear Sir,
' when will my Heart burn with Love, I long to be
' zealous for so gracious a God. I think the most grievous
' Pressure of Soul I undergo at present is the Cold-
' ness and Faintness of my Love to him! But I am
' persuaded 'tis for wise Reasons, and therefore I endea-
' vour to be resigned to the Divine Will. Blessed be
' God the Time is at Hand, when we shall meet toge-
' ther in the sweet Realms of Bliss, and there live and
' flame with Love to all Eternity; there, my dear
' Friend, will I enclose you in these worthless Arms,
' and make you Amends for all my past ungrateful Re-
' turns of Deadness and Coldness. Methinks I do now
' feel a divine Sympathy with those blessed Spirits run-
' through my Soul, and was you here present, I think
' I should weep over you for Joy at the Thoughts of
' our transporting Change. O that such amazing In-
' stances of our Lord's Love may quicken us in his Ser-
' vice, and make us count not even our Lives dear unto
' ourselves, so that we may finish our Course with Joy,
' and drink of those Pleasures which are at his Right-
' hand for evermore! Let me ask you, dear Sir, how
' you have done since we parted, let me know how our
' dear Lord has dealt with you, what sweet Influences

of his blessed Spirit you have enjoyed, that I may endeavour to be thankful, and praise God in your Behalf? O how sweet is the Name of Jesus, indeed I could freely write nothing else,—his Presence has been much with our dear Brother *John Sims*, [President of the *Orphan-House*] blessed be God for leaving him behind, I love him as my own Soul, God Almighty is with him, and leads him by his Spirit, and I am persuaded will prosper him in all his Works.—I have nothing remarkable to tell you, but that the General came here on Saturday Evening, but is expected to go away to Day.—Mr. *Mackleod*, [Scotch Minister at the *Dorian*] has preached three Times with much Sweetness and Power; I love him dearly, his Doctrine is close and searching.—Mr. *Whitefield's* Labour has not been in vain, for, besides those you knew of, Mr. *Pope* and his Companion are thoroughly awakened, and I believe the Seed is sown in good Ground, they come every Night after Church Service, and sing and pray with us at Home, and often in the Morning; I plainly see that God will bless us, we have had great Proofs of it, and have fresh ones daily; Pray, dear Sir, be thankful for us, that these Mercies may redound to his Glory, pray that I may stand fast in the Day of Tribulation, that I may be faithful to my present Charge, and be taught of God how to instruct his dear Lambs; I think I have a single Eye to his Glory, at least I strive for it.—My Time is short, I must hasten to conclude, let me once more entreat you not to be unmindful of me to our gracious Father. In the mean Time may God Almighty bless and keep you in all your Ways, and give a burning Zeal for his Glory and Honour; may you increase daily in your spiritual Strength, and have it consummated in everlasting Glory hereafter, so earnestly prays,

*Your unworthy, though affectionate
Friend and Servant,*

J. Periam.

* *P. S. My kind Love to all that love our dear Emanuel.*

Saturday, Thursday, April 8, 1785. What a joyful evening!—This

A most se-
vere Frost.

This Year was ushered in with a most severe Frost, which began on *Christmas-day* preceding, and continued for several Days, with such Intenseness of Cold as is seldom felt in this Climate. The *Thames* was in a few Days froze over, so that Multitudes of People walked over upon the Ice above Bridge, and at last a great Number of Booths and Shops of all Kinds were erected upon it, which continued for several Weeks. As the ebbing and flowing of the Tide threw great Shoals of Ice upon one another at the Beginning of the Frost, which every here and there were raised to a pretty high Heap, and at last consolidated together, when the whole River came to be covered and the Ice fixed, the Surface of the River above Bridge looked exactly like a Piece of Rock Work, and made a very solemn Appearance. Great Damage was done among the Shipping and small Craft below Bridge, many of them having been sunk by the Shoals of Ice; and several Persons travelling in the Fields or Highways were frozen to Death; but what occasioned the greatest Calamity was the high Price of Coals, which at *London*, and a great many other Places, rose to near 4*l.* a Chaldron. This afforded an ample Field to the Rich for the Exercise of their Charity; and indeed a most charitable Spirit prevailed every where, and among all Ranks of Persons who were any Way capable to relieve the Poor upon this Occasion.

We had many remarkable Accounts of the Effects of this Frost, one of which was as followeth; from *Dover* dated *Jan. 1st, 1739-40.*

' This Morning was brought in here, the *Elizabeth*, of *Leverpool*, Capt. *Mills*, from *Gottenburgh*, for *Leverpool*, in a most dreadful Condition, most of the People having lost the Use of their Hands, having had no Fire Aboard for several Days past. The Hull appears to be nothing but a Lump of Ice, many of the Ropes seem as large as a Mast, and the Blocks as big as a Firkin; their Foresail is tore to Pieces, and no Possibility of handling those that were left; they had no Use of their Pumps for several Days, and had she not been a tight Ship, she must inevitably have been lost. Numbers of People daily flock to see her, looking on her being saved as miraculous.' There

There were likewise remarkable Accounts of the Severity and Intenseness of the Frost, not only from *Scotland* and *Ireland*; but from *Germany*, *Holland*, *France*, &c. By Letters from the *North of Ireland*, we were assured, that the great fresh Water Lake, called *Lough Neagh*, was entirely frozen over, and the Ice so very hard that several Persons walked directly across the *Lough* from *Montjoy-Castle*, and other Places in the County of *Tyrone*, to the Market of *Antrim*, which is upwards of 20 Miles. But several Persons in crossing these Lakes, by the Ice breaking, fell in and were drowned.

From *Vienna*, *Dresden*, and *Dantzick*, we were advised, that the cold Weather there was severer than it was in 1709; that many People in the Suburbs of *Vienna* had perished with it: From *Stockholm*, *Poland*, and *Lithuania*, that it had forced the Bears and Wolves out of the Woods to seek for Prey in the open Country, whereby many Persons lost their Lives: And from *Brussels*, that all the Rivers were frozen up; and particularly the *Scheld* as far as *Antwerp*; and that several Persons had been found dead of the excessive Cold, and many Trees been split with it.

The following Extract of a Letter from an English Gentleman at *Leyden* in *Holland*, dated Jan. 1. is too extraordinary to be omitted: ‘Books being now laid aside, our chief Study and Care is how to thaw our Eatables and Drinkables, as Water, Milk, Beer, &c. My Wine is tolerably strong, yet the Whole freezes into a solid Mass; Bread cannot be cut, without being first set by the Fire near an Hour; in the same Manner we serve our Butter, and also our Oranges, which are otherwise as hard as Stones: Boiling strong Punch, put into a Bowl, presents us with Ice in eight Minutes: My Barber coming Yesterday to shave me, put a little hot Water into his Basin below Stairs, and in the Time he was coming up to my Chamber it began to freeze: Warm Urine from a Man’s Body freezes in six Minutes: Spittle directly, as it falls to the Ground. But what is yet more remarkable, a Gentleman of my Acquaintance having a Bottle of Water from a Pump that was not frozen, going directly to pour some into a Glass, it was immediately Ice. But what is more surprizing, Part of the Stream from the Bottle to the

Glass froze, and stood up in the Tumbler like an Icicle ; the like certainly was never known in these Climates. Three Persons were found frozen dead in one House yesterday Morning, and some others are since dead.'

This Frost was not so remarkable for it's continuance as for it's Intenseness ; for on the 16th of February it began to abate, so that by the 20th, the *Thames* was again open above Bridge, and Boats began to ply as usual. However, as the Frost abated but slowly, and was often renewed, especially in the Night Time, it was near the End of the following Month before it could be said to be entirely gone ; and during it's Continuance, it made great Havock in our Gardens, particularly among the Artichoke Roots, most of which were entirely destroyed, and many of our Gardiners obliged to get a new Stock brought them from beyond Seas.

Whether it had any Effect upon our Wheat I cannot determine, but we had this Year a very bad Crop, and what was remarkable, it was a great deal worse in the Western than in the Eastern Parts, insomuch that some of our Merchants got above *ten per Cent* by transporting Wheat from one side of the Island to the other. And as the Price was high all over the Kingdom, therefore the following Order of Council was made and published, *viz.*

At the Council Chamber, Whitehall, the 6th Day of June, 1740. Present, their Excellencies the Lords Justices in Council.

WHEREAS by the Laws and Statutes of this Realm, all Forestalling, Regraining, and Ingrossing of Corn is prohibited, and it is by the Act of the fifth and sixth of Edward the Sixth particularly enacted, That when Corn or Grain is above the Prices in the said Act for that Purpose mentioned, whosoever shall ingross or get into his Hands by Buying, Contracting or Promise, taking other than by Demise, Grant, or Lease of Land or Tythes, any Corn growing in the Fields, or any other Corn or Grain, to the Intent to sell again, excepting Badgers, Laders, Kidders

A great
scarcity of
Corn.

ders and Carriers licensed by three Justices of the Peace for that Purpose, or where the same is bought to make into Malt or Oatmeal, or to virtual Ships, Forts or Castles in the King's Dominions, or for Transportation by Water from one Part of the Realm to another, by Persons licensed for that Purpose by three Justices, and on the Terms therein mentioned, shall be deemed an unlawful Ingroffer, and shall suffer Imprisonment for two Months for the first Offence, half a Year for the second, and for the third the Pillory, and forfeit all his Goods and Chattels, and be imprisoned during the King's Pleasure.

And whereas their Excellencies the Lords Justices have been informed, that though the Prices of Corn are raised to a great Height, far beyond the Prices in the said Act mentioned, divers ill-disposed Persons, for their private Lure, do presume to buy up and ingross great Quantities of Corn and Grain, in order to export and sell the same beyond the Seas, contrary to the said Laws, and to the great Oppression of the Poor:

Their Excellencies, by and with the Advice of his Majesty's Privy Council, have thought fit, in order to prevent the many Inconveniences that may arise to the Publick by the Scarcity of Corn and Grain; to order, that all the Laws relating to Forestalling, Re-grating, and Ingrossing of Corn, and particularly the said Act of the fifth and sixth of Edward the Sixth, be strictly observed, and effectually carried into Execution. And to the Intent that all Persons, who shall break the same, may be discovered, do order, that the Commissioners and Officers of the Customs at the several Ports of this Kingdom do take care, when any Corn or Grain shall be brought to be entered for Exportation, to inform themselves, by the best Ways and Means they can, of the Names and Places of Abode of the Person so bringing the same, or making such Entry, and of the Places from whence the Corn or Grain is brought, and who is the true Owner thereof, and whether the same be really the Growth of the Land of the Person exporting, or bought of any other Person, and to give an Account immediately of such Particulars to two or more Justices of the Peace of the County,

‘ County, Place, or Division, where such Entry is made, to the End such Persons may be apprehended and proceeded against according to Law, in case they shall not appear to be within some of the said excepted Cases out of the said Act. And that the Commissioners do also forthwith send their Orders and Directions to the Officers of the several Ports of this Kingdom for the Purposes before-mentioned, and requiring them to use their utmost Endeavours in putting this Order in due and strict Execution. And the Lords Commissioners of his Majesty’s Treasury are to give the necessary Directions to the Commissioners of his Majesty’s Customs accordingly. And their Excellencies have thought fit, by and with the Advice of his Majesty’s Privy Council, to order, that the Custodes Rotulorum of the several Counties and Divisions in England and Wales, do recommend it in the strongest Manner to the Justices of the Peace in their respective Counties and Divisions, that they do, in their respective Places and Jurisdictions, cause the said Act of the fifth and Sixth of Edward the Sixth, and all other the Laws against the Forestalling, Regrating, and Ingrossing of Corn and Grain, to be speedily and effectually carried into Execution, and that they do take care that no Licence be granted to any Badger, Lader, Kidder, Carrier, or Buyer of Corn or Grain, but according to the Directions of the said Act of the fifth and sixth of Edward the Sixth, and other the Acts relating thereto, and that they take care that all Offenders against the said Acts be effectually prosecuted according to Law.’

W. Cary.

A great
Hurricane.

On Saturday Night, November 1st, there was a most dreadful Hurricane, which did a great deal of Mischief, as well on the River, as in and near London; among others, the following melancholy Accident happened at Kensington, at six o’Clock a Stack of Chimnies belonging to the Reverend Mr. Damer, who kept a Boarding School there, fell down upon the House, and by their great Weight made their Way quite into the Cellar; Mr. Damer was in the Room next under the Garret, and a Son of Sir Richard Mill, Baronet, Member of

of Parliament for *Penzance* in *Cornwall*, with him; Mrs. *Dormer* was in the Room under them, and another Son of Sir *Richard* with her, being just come down from his Brother, and they were all buried in the Ruins: Mr. *Dormer* and his Wife were both kill'd, but the two young Gentlemen were taken out alive, but very much bruised, though not without great Hopes of their Recovery. The rest of the Boarders were happily at another Part of the House. The House was new built of Brick, not long before by a Bricklayer, for sale. About eight o'Clock one of the Spires of *Westminster* Abbey was blown down. As was also great Part of *Hyde-Park* Wall, between *Kensington* and *Hyde-Park* Corner.—About ten, part of the House of Mr. *Prince*, of *Hollis-street*, *Gavendish-square*, was blown down, and the Master and Servants escaped with the utmost Hazard of their Lives, by jumping out of the Windows. At the Coach and Horses Ale-house in *Brook-street*, *Grosvenor-square*, a Stack of Chimneys fell into a Room where seven Men were drinking, and killed one *Thomas Goull* on the Spot, and bruised some of the rest.—At the *Royal Exchange* a Brick Chimney was, in a very surprising Manner, parted and turned almost round, where it hung by an iron Hold-fast till next Day in the Afternoon, when some Workmen were employed to take it down.—In the *Bluecoat-Hospital* two Stacks of Chimneys fell on the Roof of one of the Wards, broke through, and alarmed them very much, but did no other Damage.—In and about *Whitechapel* a great many Chimneys were blown down, the Tiling stript off the Houses in most Places, and in short a greater Desolation had not been known of many Years.

It was lucky that the Squadron and Fleet of Transports under Sir *Chaloner Ogle* and Lord *Cathcart* had sailed (as they did but a few Days) before this Hurricane happened; for if they had been in the *Downs*, or not clear of the Channel, they would have been in the utmost Danger.

Towards the End of this Month, and Beginning of December, there were likewise most violent Storms at Sea, of which the following Letter from on board the *Rose* Man of War, dated at *Falmouth*, December 8th, gives an Account thus:

Violent
Storms at
Sea.

“ The

' The 23d in the Evening (some Days after we had taken the *Spanish Privateer*) we sail'd from *Torbay*; on the 24th the Wind was so boisterous that our Ship roll'd prodigiously, the Sea every Moment breaking over us. The 25th, the Storm increased, and we drove without Sails at the Mercy of Wind and Weather, our Ship almost covered with Water. The 26th the Storm abated nothing; but settled a little on the 27th. On the 28th a more dreadful Storm arose, in which one of the Ships under our Convoy had four Men washed overboard; we lost sight of that Ship, and fear she perished for want of Hands. On the 29th the Storm rather increased, with Thunder and Lightning, when we miss'd another of the Ships under our Convoy. The 30th was a little more favourable; but from the 1st of December to the 3d, it blew the most violently ever known; in that Time we lost sight of all the other Ships under our Convoy, among which was our Store-Ship. The Tempest continuing, we endeavoured to make to *Cork in Ireland*, but contrary Winds obliged us to stand away for *Falmouth*, Seas beating over us all the way, where we arrived on the 25th. The oldest and most experienced Seamen on board say they never knew such a Storm.

C H A P. III.

An Account of domestick Occurrences that relate to the Cities of LONDON and WESTMINSTER, or that happened in or about the said Cities.

Lord Mayor
of London
chosen.

AFTER several previous Meetings at Taverns, and in pursuance of an Advertisement in the News Papers, a great Number of the Liverymen of London met at *Vintner's-Hall* on Thursday September 25th, to consider of two proper Persons to be returned on Michaelmas

chaelmus Day at *Guild-Hall*, to the Court of Aldermen, for their Choice of one to be Lord-Mayor for the ensuing Year, when Mr. *Glover* being in the Chair, addressed himself to the Assembly in the following manner.

Gentlemen,

'WHEN a Number of reputable and worthy Men are assembled to deliberate on any important Affair, and, in course, prefer to the Honour of presiding among them, some one of their Body, for him to expiate in Derogation of himself, and fatigue his Auditors with a tedious Preface of his own Unworthiness, is, in my Opinion, a trivial Misapplication of Time, is paying an ill Compliment to those who have just made him the Object of their Approbation, and is, at best, but an ostentatious Affectation of Humility. You may judge then, Gentlemen, I shall be exceeding brief about myself; but, since I find myself in the Chair by your express Commands, shall immediately proceed to return you my Acknowledgments, and to assure you, that I esteem the Honour you have conferred upon me to be the greater, as coming from an Assembly of Men, who, I am confident, are not met with any interested or party View, but with the sincerest Intention to promote, jointly and separately, the publick Advantage.

The same Motives, Gentlemen, which induced you to set aside a certain Alderman, last Year, from the Mayoralty of this City, I take for granted, are universally understood among you to be the Occasion of your meeting this Day. The Merits of this Affair have been sufficiently canvassed in all Conversations, and in every publick Paper; nor can I suppose any Gentlemen present to be so uninformed, as not to perceive how material it is to this great Metropolis, for the Defence of it's Rights and Privileges, for the Preservation of it's Peace and Tranquillity, and for the Support of it's Reputation and Dignity, that no Person whatever should be vested with the supreme Magistracy, who is not agreeable to the Majority of it's Citizens. Happy is it for this City, that the same Spirit, and the same Unanimity subsist among us; but give

give me. Leave to observe, that the bare Removal of a Gentleman, you disapproved, from the Chair of *London*, however necessary or important in itself, was, by far, the least Benefit, which your resolute and prudent Conduct, last Year, produced to the Publick. Let us but remember with Calmness and Impartiality, how severely, and how long the Publick had suffered by the unsociable Temper of Party, which, by raising imaginary Distinctions between honest Men of different Denominations, had long kept them at a cold and reserved Distance from each other, for want only of Opportunities to communicate their Sentiments together, and to discover, that the general Good was equally intended by both; for Integrity and Sincerity must be the same in all, and, however the Possessors of those Qualities may differ about Words and Names, to advance the Welfare of Society, must be the natural Pursuit of every upright and disinterested Man. Whatever, therefore, by spreading such a general Alarm, induces every Party to throw aside this reserved Behaviour, and, for their common Security, to join Counsel, and act in Concert, must be considered as a fortunate Event to the Publick. Such was the Necessity we lay under, last Year, of uniting in Opposition to a certain Alderman, which not only invested an unexceptionable Gentleman with the supreme Magistracy, but occasioned a much more extensive Advantage to this City, and, by the Example, to the Kingdom in general; I mean, by convincing all Parties, from this single Experiment, that as Union was necessary for our Preservation, so the Way to it was short and obvious. To evince the Truth of this, let us only recollect, with what Decency our Opposition was supported throughout, free from that Rancour and Fury, from that personal Abuse and publick Tumult, which are the constant Attendants on mere Party-Zeal. For myself, I most solemnly declare, I was swayed by no private Resentment, no personal Dislike to the Gentleman we opposed; it was a publick Conduct alone which influenced me, and I am satisfied I speak the Sentiments of most, if not of all, here present: And as that fatal Behaviour, which so justly excited the universal Indignation of *London*,

' ought never to be erased from Remembrance; so I
' trust we shall never desist from renewing the same
' Opposition, Year after Year; that we shall always
' dread the Censure of Levity and Disunion, which
' else will brand us for ever; that we shall continually
' represent to our Thoughts the Dishonour which will
' fall upon this City, and the Discouragement we shall
' give to the whole Kingdom, which frames it's Con-
' duct so much on the Example of it's Metropolis, if at
' any Time, whatever, we should remit of that manly
' and persevering Zeal, which has drawn us together
' this Day, and which, I hope, will occasion an unin-
' terrupted annual Meeting, to consider of two proper
' Persons to be returned by the Common Hall to the
' Court of Aldermen, for their Choice of one to be
' Lord Mayor of this City.'

Mr. *Glover* having ended, the Livery proceeded to the Consideration of the Affair before them, and several other Gentlemen having spoke to the same Purpose with Mr. *Glover*, they at last resolved to support the Nomination of Sir *Robert Godschall*, Knt. and *George Heathcote*, Esq; in the Common Hall on *Michaelmas Day*, they being the two Senior Aldermen, next to *Sir George Champion* below the Chair.

On *Michaelmas Day* as usual, came on at a Court of Hustings at *Guildhall*, the Election of a Lord Mayor for the ensuing Year, when Sir *Robert Godschall*, Knt. and Alderman, and *George Heathcote*, Esq; Alderman, were returned by the Common Hall to the Court of Aldermen, who thought proper to choose *George Heathcote*, Esq; and he was accordingly declared duly elected: Upon which Sir *Robert Godschall* addressed himself to the Livery, and returned them Thanks for the Honour they did him, expressing his Concern, that his Brethren of the Court of Aldermen had, without any Reason assign'd, denied him the Favour intended him by his Fellow-Citizens, and as he was not conscious of any Demerit in himself, he hoped they would justify their Conduct to the World. After which Alderman *Heathcote* declared his grateful Sense of the Honour done him, but desired his Fellow-Citizens would excuse his serving them in that Capacity for the ensuing Year, on account

count of his ill State of Health, and the fatiguing, though honourable Office, which he had so lately undergone, especially as his Brethren had not made the least Objection to the worthy Alderman, his Senior, either in Point of Honour, Ability, or Integrity. After which a Motion was made by William Benn, Esq; and seconded by Mr. Charles Hitch, That the Thanks of this Hall be given to George Heathcote, Esq; for supporting the Liberties of his Fellow-Citizens, in declining the Office of Lord Mayor for the ensuing Year; and the Question being thereon put, the same was carried by the unanimous Voice of the Common Hall.

The following Gentlemen were PRESENT in the Court
of Aldermen,

Sir JOHN SALTER, Knt. LORD MAYOR.

Sir John Eyles, Bart.	John Barber, Esq;
Sir Robert Baylis, Knt.	Sir John Barnard, Knt.
Sir William Billers, Knt.	Sir Robert Godschal, Knt.
Sir John Williams, Knt.	George Heathcote, Esq;
Sir John Thompson, Knt.	Daniel Lambert, Esq;
Sir Harcourt Master, Knt.	Sir John Lequesne, Knt.
Sir George Champion, Knt.	Henry Marshall, Esq;
Sir William Rouse, Knt.	Richard Hoare, Esq;
Sir Joseph Hankey, Knt.	
William Baker, Esq;	
George Arnold, Esq;	

Of which the first Eleven were for George Heathcote, Esq; and the last Eight for Sir Robert Godschal, Knt.

A B S E N T.

Humphry Parsons, Esq;	Richard Levett, Esq;
Sir Edward Bellamy, Knt.	Robert Willmott, Esq;
Micajah Perry, Esq;	Robert Westley, Esq;

Mr. Alderman Heathcote insisting upon his being excused serving the Office, another Court of Lord Mayor, Aldermen, and Common Council was held at Guild Hall on Friday, October 10th, when the Affair of Lord Mayor for the ensuing Year was debated, and after several Arguments, the Question was put, That Mr. Alderman Heathcote be compell'd to serve the Office of Lord Mayor

Mayor for the Year ensuing, which was strongly opposed and another Question proposed, that he should be excused from serving the Office for the Year ensuing, which latter Question, upon Debate, was rejected, and the former, almost unanimously put, and carried almost unanimously in the *Negatives*. Then another Question was put, that he be excused, without any Fine, &c. which was carried likewise almost unanimously.—This *Negative* Question was put to prevent a *Negative* in the Court of Aldermen.

Upon this another Common Hall was summoned to be held on the 14th, for the Livery to choose two other Persons to be returned to the Court of Aldermen; and previous to this, *viz.* on Monday the 13th, in pursuance of an Advertisement in the News Papers, there was another very general Meeting of the Livery at *Vintner's Hall*, to consider of two Persons proper to be nominated by them the next Day at *Guild-Hall*, when Mr. *Glover* being again chosen Chairman, he opened the Reasons of their meeting again there, in a Speech as follows.

Gentlemen,

LAST Thursday was Fortnight you were assembled in this Place, to consider of two proper Persons to be returned at the next Common Hall to the Court of Aldermen, for the Choice of one to be Lord Mayor of this City for the Year ensuing. I had that Day the Honour to be in the Chair, when you concurr'd unanimously to nominate Sir Robert Godscall, Knight and Alderman, and George Heathcote, Esq; Alderman, to that high and important Office. That you should, this Year, be obliged to assemble once more upon the same Occasion, was an Event as remote from my Expectations, as the Procedure, which hath laid this Necessity upon you, was surprising and alarming; a Procedure, which hath brought into the Lists of Contention eleven Gentlemen of the Court of Aldermen, against the whole Livery of London! How unequal this Conflict must prove, depends upon your prudent Perseverance; to strengthen which, let us examine the principal Argument alledged in these Gentlemen's Jutification, that not only we may confirm the wavering, but the most

Resolute

Resolute among us may redouble their Vigour, by the Confidence which springs from an equitable Cause.

In the Election of a Mayor, the Common Hall of London, and Court of Aldermen, have each an undoubted Right, one to return any two Aldermen they please, who have served the Office of Sheriff; the other to choose whichever of the two they prefer.

However, it has been generally a Custom for the Common Hall to compliment with the Return, the two Gentlemen next the Chair, and for the Court of Aldermen to elect the Senior of the two. Whenever, therefore, a Custom, almost constantly practised, is varied from, it must be understood to be a severe Censure on the Person so passed by. A Gentleman, last Year, suffer'd this publick Mark of your Displeasure: Let the impartial World be judge, and it will determine that Conduct of the Common Hall to have been brave, and worthy of Englishmen, to have been a wise and equitable Exertion of their legal Right. So much regard, notwithstanding, was still paid to the general Usage, that after rejecting the exceptionable Person, the two next in Rotation were unanimously return'd, without the least Bias to Party. As the Court of Aldermen, this Year, have been pleased to pass the same Censure upon Sir Robert Godschall, you had Reason to expect they should have produced against his publick Behaviour, an Accusation, that might have born some Proportion to the Charge of Misconduct, which render'd the Gentleman, last Year set aside, the Object of your just Resentment. In this Case, the Court of Aldermen had made a prudent and justifiable Use of that Right, with which they are legally invested: but when we are told, that they will exercise their Power, for no better a Reason than because you exerted yours, whether properly or improperly being no Way regarded, they then use their Power in an arbitrary Manner, and the more inexcusably, as it is employed in revenge of an Action which will for ever be applauded and admired. Such a Behaviour certainly deserves to be esteemed an Invasion of your Privileges, nor, indeed, by the Exertion of any illegal Power against you, but by the arbitrary Use of a legal Right, in order to discourage you from the

the free Exercise of yours for the future. Their Reasoning, hitherto, is so inconclusive, that, in my Opinion, it is highly incumbent on these Gentlemen, to urge some more cogent and convincing Arguments to satisfy their Fellow-Citizens, who may, otherwise, suspect that this Operation was concerted with some Enemy of the City, with an express Design of sowing Dissentions among us, and to weaken that happy Disposition to Union, which begins to triumph over the Spirit of Party. If this was really the Design, how strongly does it evince the Necessity of that Unanimity I had insisted on at your last general Meeting, and how evidently must it prove to all, the Importance of discarding the ancient Animosities of Party! If we have Enemies who study to divide us, common Prudence should, surely, instruct us to strengthen the Ties of Concord for mutual Security. What a glorious Example has been set before us by that deserving Magistrate, that sincere Friend to Liberty, that known and approved Supporter of our Rights and Privileges, Mr. Alderman *Heathcote!* If actuated by any personal Consideration, if dazzled with the Splendour and Dignity of sustaining the supreme Magistracy in the most numerous, the most opulent, and the most distinguished Community of the Universe; if deluded by the seeming Preference bestowed upon him in the Election, he had fallen into the Snare, and accepted the Office, that Moment had all Confidence vanished from among us, the accursed Spirit of Discord and Faction had again revived, a Separation had ensued, and the cold and reserved Distance of Party had, perhaps, been for ever maintain'd, to obstruct the very Attempt at any future Re-union. Fines and Disfranchisement were threaten'd; but how little was that Gentleman known to those who could thus flatter themselves, that the severest Penalties would deter him from inviolably observing the Obligations of private Honour, and of his Duty to this great Metropolis!

Thus far, Gentlemen, I have taken upon me to examine the late publick Proceeding of the eleven Aldermen. Any farther, or a more particular Disquisition, which might lead to the least personal Reflec-

‘tion, I avoid, not only as unbecoming the Impartiality of the Chair, but because I hope, there are some of these Gentlemen, who may have been influenced, in this ill-judged Affair, by some Misrepresentation, or some Misapprehension, and who may, at length, be convinced, how imprudent it is, at this Juncture especially, to enhance the Uneasiness and Impatience, which naturally fill the Minds of Men on the present uncertain Situation of our publick Affairs. I hope they will reflect, that an Attempt, at any Time, to raise Distractions, and disunite their Fellow Citizens, is highly improper in those, who, by their Duty and Office as Magistrates, are bound to promote Concord and Union in that Society, over which they preside.’

When Mr. *Glover* had finished, and several other Gentlemen had spoke, it was at last resolved, to support the Nomination of Mr. Alderman *Parsons* and Sir *Robert Godschall*. Accordingly next Day at *Guildhall* all the Aldermen below the Chair who had served the Office of Sheriff, were as usual put up; but very few Hands were held up for any one of them except Sir *Robert Godschall*. Upon this a Motion was made by Mr. *Benn*, seconded by Mr. *Calvert*, and supported by several others, that *Humphry Parsons*, Esq; the senior Alderman above the Chair, except Sir *John Eyles*, Bart. Post Master General, and Sir *Robert Baylis*, Knt. one of the Commissioners of the Customs, should be put up, and he being accordingly put up, a great Majority of Hands appeared for him; whereupon *Humphry Parsons*, Esq; and Sir *Robert Godschall*, Knt. were declared to be the two Persons returned by the Liverymen to the Court of Aldermen for them to chuse one of the two to be Lord Mayor for the ensuing Year.

This Nomination was made by the Livery on Purpose to oblige the Court of Aldermen to chuse Sir *Robert Godschall*, or one who had already served the Office, which was unusual. But the Aldermen, after a Debate of near three Hours, were pleased to put by Sir *Robert Godschall* again, and to chuse *Humphry Parsons*, Esq; Upon this Occasion the Right Hon. the Lord Mayor being indisposed, Sir *John Eyles*, Bart. the senior Alderman of Course took the Chair, and the Aldermen present were,

Sir John Eyles, Bart.
 Sir Robert Baylis
 Sir William Billers
 Sir John Williams
 Sir John Thompson
 * Sir Edward Bellamy
 Sir Harcourt Master
 Sir George Champion
 Sir William Rous
 Sir Joseph Hankey
 William Baker, Esq;
 George Arnold, Esq;

* Humphry Parsons, Esq;
 John Barber, Esq;
 Sir John Barnard
 Sir Robert Godschall
 George Heathcote, Esq;
 Sir John Lequesne
 * Robert Willimot, Esq;
 Daniel Lambert, Esq;
 * Robert Westley, Esq;
 Henry Marshall, Esq;
 Richard Hoare, Esq;

Of whom the first twelve were for *Humphry Parsons*, Esq; and the last eleven for Sir *Robert Godschall*.

Those marked * were not present on Michaelmas-day. Wednesday 22d, at a Court of Common-Council then held, *Humphry Parsons*, Esq; having acquainted the Court with his Readiness to take upon him the Office of Lord Mayor a second Time, in order to put an End, as much as he could, to the Heats and Divisions in the City, the following Motion was made by one of the Common Council, viz.

' That the Thanks of this Court be given to the Right Hon. *Humphry Parsons*, Esq; Lord Mayor Elect, for accepting a 2d Time the laborious and expensive Office of the Mayoralty, and thereby in some Measure restoring the Peace and Tranquillity of this City, which has been greatly disturbed by a late extraordinary and unusual Proceeding.'

The Words printed in Italicks were objected to, and an Amendment proposed by leaving them out, when it appeared that a great Majority of the Common Council would upon putting the Question appear against the Amendment, but that a Majority of the Aldermen would be for it; and when the Question was going to be put, viz. Whether those Words should stand Part of the Question, those that were against these Words standing Part of the Question, insisted that as the Majority of the Aldermen were against it, they had a Right to put their Negative upon the Words objected to, even though they should be agreed to by a Majority of the

Common Council. Upon the other Side it was insisted, that the Words of the late Statute for that Purpose being, ‘ No Act, Order or Ordnance whatsoever, shall be made or passed in the Common Council of the said City, without the Assent of the Mayor and Aldermen present, or the major Part of them, nor without the Assent of the Commons present at such Common Council, or the major Part of them,’ the Court of Aldermen could not from thence pretend to a Right to put their Negative upon the Question, because it could not be called an Act, Order, or Ordnance of the Common Council, but a Resolution only, or rather a Question about an Amendment to a Resolution. However as the Court of Aldermen insisted upon their Negative, most of the Aldermen and Common Council Men that were for having those Words stand Part of the Question withdrew from the Court, and the Amendment being agreed to by most of those that staid, the Motion thus amended was agreed to; and then the Thanks of the Court were returned to the then present Lord Mayor, for his good Services during his Mayoralty.

As the Liverymen had thus steadily stood by Sir Robert Godschall, he returned them his Thanks by the following Letter, signed by him, and published in our News Papers.

‘ To the Worthy Liverymen of the City of London.

‘ GENTLEMEN,

‘ I Beg Leave to return you my most humble and hearty Thanks, for the remarkable Affection with which you did me the Honour to support your Nomination of me to be your chief Magistrate for the Year ensuing.

‘ As this distinguishing Mark of your Regard to me most justly commands, so I assure you it shall most certainly meet the sincerest Returns of Gratitude on my Part, whensoever I can be so happy as to have any Opportunity of testifying the high Sense I have of your Goodness to me.

‘ I have been, ’tis true, deprived of the great Office, for which you designed me, by a Majority of one Vote, amongst my Brethren the Aldermen; but the repeated

‘ Honour

‘ Honour so unanimous a Choice of my Fellow-Citizens, conferred on me in two very numerous Common-Halls, sufficiently recompenses me for that Slight: and as the Honour you have done me cannot be taken from me by any Persons whatever, I shall always prize it infinitely beyond the Splendor of any Post, how eminent soever it may be.

‘ It must be, I think, no small Satisfaction to your worthy Body, to perceive that this (I hope unmerited) Severity, with which I have been so remarkably distinguished, has induced several of those worthy Gentlemen who have already filled the Chair of this City with the greatest Dignity and Applause, generously to resolve to go through that high but expensive and laborious Office again, when they shall be called upon by you, rather than not shew their Disapprobation of this unusual Opposition to your repeated Choice.

‘ I hope that nothing which has happened in this Affair will in any Manner disunite the City, and thereby lessen the Weight it receives from Unanimity; and I sincerely wish that no Citizen of *London* may hence-forwards be distinguished by any Thing, but his unalterable Zeal and steady Attachment to the Welfare of his Country and the Preservation of the Rights and Liberties of this great Capital. I am,

‘ Gentlemen,

‘ College-Hill,
‘ Oct. 22, 1740.

‘ Your most obliged, and
‘ Devoted humble Servant,

‘ ROBERT GODSCHALL.’

At a Court of Hustings held at *Guildhall* June 24th, Sheriffs chosen.
Henry Marshall, Esq; and Richard Hoare, Esq; Aldermen, were chosen Sheriffs of the City of *London*, and the County of *Middlesex* for the Year ensuing.

On Wednesday November 19, pursuant to an Advertisement in the News Papers, there was a most numerous Meeting of the Liverymen of the City of *London* at *Vintners-Hall*, to nominate four proper Persons for Candidates to be chosen as Representatives for the City at the next general Election, and Mr. Deputy Nash being chosen Chairman, Mr. Chitty, one of the Candidates at the last Election, proposed Sir John Barnard

City Representatives for next Parliament resolved on,

for one, upon which a Letter from him to the Livery-men was produced and read, in which he returned his Fellow Citizens Thanks for the Honour they had done him, in choosing him as their Representative for two successive septennial Parliaments, but begged they would excuse his serving them for a new Parliament in that Capacity, because he thought his Age and ill State of Health rendered him unfit to discharge the Duty of such an important Trust. By this Sir *John* shewed, he had a just Opinion of the Importance of that Trust, though very different, it seems, from that of some Gentlemen, who get themselves chosen Members of Parliament, and never afterwards give themselves much Trouble in attending their Duty; but this very reasonably made the Citizens the more fond of having him for one of their Representatives, therefore Mr. *Chitty's* Motion was insisted on, and it was proposed, That a Deputation from that Assembly should be sent to him, to request his Acceptance or Acquiescence in their Nomination, and to bring back his final Resolution; but this was opposed, by several Gentlemen present, who were for his being nominated without any such Application, particularly Mr. *Glover*, who on that Occasion spoke as follows.

‘ Gentlemen,

‘ I Have been honoured on former Occasions with your Favour and Attention. As the Service of Sir *John Barnard*, in Parliament, is of the highest Consequence to this City, and, I may say, to the whole Kingdom, I hope you will indulge me now; it is possible I may take up some Part of your Time; I flatter myself that the Importance of the Subject will excuse me, and that I shall not fail of your wonted Favour this Day.

‘ Gentlemen, when I reflect on the unequalled Abilities, which we have experienced in Sir *John Barnard*, through a Series of so many Years; when I reflect on his consummate Sagacity, on his unshaken Resolution, Fortitude and Integrity; when I consider those excellent Qualities, adorned and supported by the most masculine and persuasive Eloquence; when I consider him as the Patron of Trade, as the universal Friend of his Country, as the Ornament of this City, which elects him, and an Honour to that great

Assembly

Assembly where he excels as a Senator, I never can give my Consent that any Deputation at all should be sent from us to intreat his farther Service, but that the first Question should be insisted on, and that, notwithstanding all the Excuses he has ever made before, or that are contained in his Letter to the Livery this Day, he should be now put in Nomination as a Candidate to serve us again in Parliament.

By this Means, we give him all the Time between this Day and the Election for Deliberation in his own Breast, for the Persuasion of his Friends, and the Solicitation of this great City, to make him at length sensible of his own Weight and Importance to the Publick; for should it be deprived of his farther Assistance, the Loss would be lamented from the Land's End to the North of Scotland.

But to force him again upon this Duty, contrary to his Inclination, may, possibly, appear disrespectful and ungrateful towards one who has already served you so long and so well. Indulge me, Gentlemen; I shall endeavour to prove, that no Law whatever, either of Reason, of Society, or of the Land, can oblige you to admit of his Excuses, or give him the Right of retiring from the Publick, especially in the present Conjunction. And, first, I appeal to that sacred, that unwritten Law, residing no where but in the Breast of good and honest Men, and to them more obligatory, than any written Laws, with all their Train of Punishments to enforce their Authority; I mean the sacred, the unwritten Law of Virtue, which produces to Society those numberless Advantages, for which no written Law can provide: It is this which disposes Men to every Action of Generosity and Benevolence in private Life, which informs them of their several Duties to Parents, Children, Friends, Fellow Citizens, Strangers, and all that stand in need of our Aid and Support: It is this sacred and unwritten Law, which so frequently, in former Ages, especially in every free Country, gave Birth to the many glorious Acts of publick Virtue, inducing the Brave and Worthy to suffer Fines, Pains and Imprisonment, to undergo the Loss of their Fortunes and Lives, for their Country: It is to this Tribunal I now cite Sir John Barnard,

which is no more than bringing that distinguished Patriot to be judged by his own uncorrupt and virtuous Heart, by his own wife and discerning Mind; and, surely, he must discover that, as so many worthy Men have been known to sacrifice their All for the Publick, and as there are Emergencies which render it a reasonable Conduct to devote both Life and Fortune to the general Welfare, surely then he must discover, that a bare Apprehension of Fatigue, or of any mental or bodily Infirmity, which may happen hereafter, is an Excuse which can never justify so able and useful a Senator in abandoning his Country, at a Time when his Aid and Counsel are so necessary to its Defence and Support.

Permit me, Gentlemen, to consider next the Nature of Sir John Barnard's Excuses. He has declared, that he finds his Memory begins to fail. Great Men are frequently disposed to suspect their own Abilities, and, undoubtedly, may feel their Faculties yielding upon the first Approach of Old Age, when, at the same time, the Alteration is altogether imperceptible to every one besides. You may judge for yourselves, Gentlemen, in the present Case; you are continual Witnesses to some Instances or other of Sir John Barnard's superior Abilities. Allowing for all the Waste of Time in the exquisite Frame of his Mind, will you ever be persuaded to believe, that at the Conclusion of seven Years more he will not still be left a most able and useful Counsellor to the Publick? Time may abate his Vigour, his Quickness of Apprehension, his Vivacity, his Fire may subside; but will he not still retain Solidity of Thought? Will not his Judgment be rather improved by so much additional Experience? And will not that which surpasses every other Excellence, remain in him for ever unimpaired by Time? I mean the Integrity of his Heart. The Fatigue, the constant Attendance in Parliament, you yourselves may alleviate, by electing three such proper Companions with him, as may take upon themselves the laborious Part, and leave him all the Leisure and Repose his Health may require. Nor will you expect from a Gentleman forced into your Service, any Thing beyond his Health and Strength; and the

the same Reason will always furnish him with an Excuse to consult his own Ease, and to throw upon others the constant Employment and Attendance, which so eminently fall to their Share, who have the Honour of representing this great Metropolis in Parliament.

I shall now undertake to prove, that to force into this Service, any Gentleman you please, whom you esteem best qualified, is a Procedure altogether agreeable to the Course of the Law. The Law, Gentlemen, in return for that Protection and Security it affords to Individuals in their Lives and Properties, exacts from them certain Duties and Services; these it claims as a Debt, without conferring the least Reward; I mean, all the burthenesom and expensive Offices, from the Lieutenancy of a County, down to a Constable of the meanest Parish. A compulsory Power is, accordingly, lodged in various Hands. The Law vests the King with a Power to oblige any Gentleman to serve as Sheriff in his County, the Sheriff to force upon Juries whomsoever he judges proper; and were it material to make any further Examination into these Kinds of publick Duties, we should find that the most inferior Parish, as well as the more considerable Corporations, are intrusted by Law with the same compulsory Power over their several Members. If, therefore, you are impowered to force into the most trifling Offices, the several Individuals of Society, can you doubt of a Right to put up in Nomination for the most important of your publick Employments, the best qualified Person among you, notwithstanding his Refusal? Can he, who in his turn has been liable to be chosen Scavenger in his Ward, have any Right to avoid serving his Country in Parliament, possessed as he is, with every Qualification requisite to excel in that great Employment? Or can any be persuaded, that to nominate him, at least, for that important Service, is inconsistent with that Law, which obliges the best among you to undergo the most trifling, as well as the most troublesom Duties, for the Publick.

And give me Leave to ask you, Gentlemen, who by your Residence in the Metropolis, by your Wealth and Commerce, have a Connexion and Intercourse with

with the whole Kingdom, what will you answer to your Friends and Correspondents, when they demand of you, why was Sir *John Barnard* omitted in the List of Candidates for *London*? Why is the Nation deprived of his Service? Do you imagine they will be satisfied when you tell them he excused himself? Will not they reply, who obliged you to admit of his Excuses? Had you not a Right to nominate him? Are you to prefer the Repose of a single Man to the general Advantage? give up to Retirement, a Man so capable to serve the Publick? What Answer can you make to these Reproaches of a whole People? How weak, how light will you appear in their Eyes, how ignorant of your own Interest, how negligent of the Publick? Your Weight will be lost, the Example of this great Metropolis, by which the whole Nation were accustomed to regulate their Conduct, will be regarded no more: Ridicule and Reproaches will attend you, as having injured the Publick in so signal a Manner: for give me Leave to tell you, a Member like Sir *John Barnard* cannot be locally concerned; you have, indeed, the Merit of having found him, and sent him to Parliament; but the whole Kingdom besides is interested in him, as well as you; and rest assured, that he will be demanded at your Hands. The Merchants of *London* will demand him as the Guardian of Trade, the Nation will demand him as the universal Friend of his Country, and the Legislature will demand him as one of their best and ablest Counsellors. I have but one Thing more to urge, it is a Distress which you are not aware of, but will inevitably fall upon you, and I speak from my own Knowledge; if you suffer Sir *John Barnard* to leave your Service, the Publick will not only be deprived of him, but of many others, who already plead this fatal Example for their retiring too; and if those who have distinguished themselves in supporting the Rights and Privileges delivered down from our Ancestors for these 700 Years, and who labour under an heavier Weight of Age and Infirmities, than Sir *John Barnard*, should likewise abandon the publick Cause, who would remain to defend your Liberties? Or when they justified themselves by his Example, to whom

‘ whom could you impute your Distress but to yourselves, who suffered so fatal an Example to take Place?’

After several other Gentlemen had spoke to the same Purpose, it was resolved to nominate Sir *John Barnard* as one of the Candidates. The following Aldermen were then recommended, *viz.* the Right Honourable *Humphry Parsons*, Esq; Lord Mayor, *John Barber*, Esq; *Micajah Perry*, Esq; Sir *Robert Godschal*, Knt. *George Heathcote*, Esq; and *Daniel Lambert*, Esq; and being severally put up, a very great Majority of Hands appeared for the Lord Mayor, Sir *Robert Godschal*, and *George Heathcote*, Esq; who were accordingly, with Sir *John Barnard* declared by the Chairman, as the Candidates at the next general Election; and it was determined to support the Election of these four Gentlemen to be the Representatives of the City in the next new Parliament.

March 25th, At a Court of Common Council then held at *Guild Hall*, a congratulatory Address to his Majesty, on Admiral *Vernon's* taking *Porto Bello*, was after a long Debate, which lasted six Hours, agreed to: The Aldermen and Common Council Men appointed to draw up the Address were,

Congratula-
tory Address
on Admiral
Vernon's
taking *Porto
Bello*.

Alderman *Barber*,
Sir *Robert Godschal*,
Alderman *Lambert*,
Alderman *Westley*,
Mr. Deputy *Farington*,
Mr. Deputy *Dansie*,

Mr. Deputy *Sandford*,
Mr. Deputy *Smith*,
Mr. *William Tims*,
Mr. *William Myers*,
Mr. *Samuel Sedgwick*,
Mr. *Robert Ladbrooke*.

The Address drawn up and agreed to was as follows;

To the King's most excellent Majesty,

The humble Address of the Lord Mayor, Aldermen and Commons of the City of London in Common-Council assembled.

May it please your Majesty,

WE your Majesty's most dutiful and loyal Subjects
the Lord Mayor, Aldermen, and Commons of
the

‘ the City of *London*, in Common-Council assembled,
 ‘ beg Leave to congratulate your Majesty on the glo-
 ‘ rious Success of your Majesty’s Fleet in the *West In-*
 ‘ *dies*, under the Command of Vice-Admiral *Vernon*;
 ‘ who with six Men of War only, and the Assistance
 ‘ of about two hundred Land Forces from *Jamaica*,
 ‘ entered the Port and took the Town of *Porto Bello*,
 ‘ demolishing and levelling all the Forts and Castles
 ‘ thereto belonging, destroying or bringing away all the
 ‘ Guns and Ordnance with which they were defended,
 ‘ at the same time treating the Inhabitants with the
 ‘ utmost Humanity, opening their Harbours, and re-
 ‘ claiming from Captivity your Majesty’s Subjects in the
 ‘ Service of the *South Sea Company*, unjustly detained
 ‘ at *Panama*.

‘ The Execution of this important Service, with so
 ‘ small a Force, and with so much Intrepidity, must
 ‘ greatly redound to the Reputation of your Majesty’s
 ‘ Arms, and strike a Terror into the Enemy, who will
 ‘ now by Experience be convinced (whatever mistaken
 ‘ Notions they may have formed from this Nation’s
 ‘ long Forbearance) that the Maritime Power of *Great*
 ‘ *Britain*, being at length exerted, is able effectually to
 ‘ vindicate the Glory of your Majesty’s Crown, revenge
 ‘ the Injuries of your People, and retrieve the Honour
 ‘ of the *British Flag*.

‘ This auspicious Beginning of the War must give
 ‘ your Majesty’s faithful Subjects the most reasonable
 ‘ Expectation of obtaining such future Successes, by your
 ‘ Majesty’s wise Application of your Forces in the fur-
 ‘ ther Prosecution of the same vigorous Measures, as
 ‘ may put your Majesty in Possession of a real and ef-
 ‘ fectual Security for the Navigation and Trade of your
 ‘ People.’

‘ We think it in a particular Manner incumbent upon
 ‘ us, as Representatives of the greatest trading Body in
 ‘ the Nation, to assure your Majesty, that we will clear-
 ‘ fully contribute to the utmost of our Abilities in Sup-
 ‘ port of a War so necessary for the Protection of our
 ‘ long injured Trade, and entered into at the unanimous
 ‘ Desire of your Majesty’s Subjects.’

Which

Which being presented to his Majesty on the 27th, his Majesty return'd the following most gracious Answer.

I Thank you for your Congratulations: You have no reason to doubt but that in all my Measures as I have hitherto had, so I shall continue to have a due Regard to the Honour and Interest of my Crown and Kingdoms, and to the Safety and Protection of all my Subjects.

At the same Time this Address was agreed to, the Common Council resolved to present the said Admiral with the Freedom of the City in a golden Box of 100 Guineas value.

The following Presentment, I think, deserves a Place in these Annals; but I must desire my Readers to take notice, that it was made during the severe Frost, which occasioned the Complaint about the Streets being in such a wretched Condition.

Present-
ment by the
Grand Jury
of London.

L O N D O N.

At the General Quarter-Sessions of the Peace holden for the City of London, by Adjournment, at *Justice Hall* in the *Old Bailey*, on *Friday the 16th Day of January*, in the Thirteenth Year of the Reign of our Sovereign Lord *George the Second*, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, before Sir *John Salter*, Knt. Lord Mayor of the City of London, Sir *John Thompson*, Knt. Sir *George Champion*, Knt. and *Robert Wesley*, Esq; Aldermen of the said City, and others their Fellow-Justices, assigned to keep the Peace of our said Lord the King within the said City; and also to hear and determine divers Felonies, Trespasses, and other Misdeeds committed within the same City.

*T*HIS Court having taken into their Consideration the laudable Presentment of the Grand Jury for this City, and the many Immoralities, Nusances, and Inconveniences therein specified, occasioned by the long and contemptuous Disobedience of the Precepts of the Magistrates' of

of this City, issued out for suppressing the same, have resolved, that all Constables, Scavengers, and other Officers, who shall be hereafter found negligent or remiss in their Duty, touching any of the Premises contained in the said Presentment, or shall hereafter presume to neglect the Execution of such Precepts wherewith they shall be charged, shall be prosecuted with the utmost Severity according to Law: And to prevent any Excuse for want of Notice, this Court hath ordered the following Presentment to be printed in some of the Daily Papers, and the same is hereby ordered to be printed accordingly.

By the Court,

M A N.

We the Grand Jurors of the City of London being duly sensible of his Majesty's paternal Tenderness, in seeking the true Welfare and Happiness of his Subjects, by his Proclamation against Profaneness, Immorality, and Vice, which was read at this Quarter-Sessions, and being touched with a deep Concern, that notwithstanding his Majesty's kind Intentions therein, and the many good Laws made for the suppressing Vice and Immorality, yet they continue greatly to abound, to the Dishonour of God and of his Majesty's Government, and the great Prejudice of this City; we therefore judge ourselves bound, as well by the Oath we have taken to the Almighty, as in Duty and Obedience to his Majesty, and in tender Affections to our Fellow-Citizens, earnestly to recommend it to this Court, that the many good Laws in being for the suppressing immoral and disorderly Practices may be put in Execution, and particularly, that the following Evils may be took into Consideration by this honourable Court, so as they may be for the future effectually prevented, which we now humbly present.

In the first Place, The frequent Concourse of disorderly Persons and idle Vagrants in Moorfields. It is with great Concern that we have often seen such Persons assembled together in Multitudes in the aforesaid Place for Cudgelling, Dice, Lotteries, and other Games, and particularly for Cock-throwing during several Weeks at this Season of the Year, and for several other dangerous

gerous and disorderly Practices carried on in Booths for Shows, Flying-Chairs, &c. are suffered to be erected in the aforesaid Place, to the occasioning frequent Disorders and Mischiefs. We are urged to this Presentment, not only from the Annoyance which we, and many of our Fellow-Citizens, have received in our Passage through the said Fields on our lawful Occasions, but because we have often heard the disorderly Assemblies there met together complained of, and do believe them to be a Nest of Pickpockets, House-breakers, and other evil-minded Persons; and that many unwary Youths being drawn to idle Expences of Time, and Loss of Moneys entrusted to them, have by their Acquaintance with the said disorderly Persons, been led on to other destructive and ruinous Practices. Wherefore we present the said Assemblies, Gaming-Tables, Cock-throwing, Booths, &c. as publick Nuisances, and as what would be of great Service to his Majesty's Government, and the Safety of the City, and the Peace of many of his Majesty's Subjects, to be utterly suppressed.

Secondly, Concerning the Numbers of lewd Women walking in the Streets. We have likewise with the greatest Concern observed the large Resort of lewd Women in the publick Streets of this City, and whose Numbers have annually increased, without Hindrance or Molestation, for Years past, to the great Reproach, as we apprehend, of Magistracy and good Government, and to the Danger and Ruin of many young Persons, Apprentices, Servants, and others, who being artfully ensnared by the Sollicitations and lewd Practices of those abandoned profligate Wretches, have been led on to those large Expences which their Circumstances and Allowances will not bear; the Consequence of which have been their robbing their Masters, forging Bills, taking to the Highways, and using other criminal Methods to supply their own Wants, and the more unbounded Extravagancies of those who have tempted them to those criminal and destructive Practices. On those Accounts, out of regard to our Oaths, the Honour and Peace of his Majesty's Government, the good Order and Welfare of this City, the Safety of our Families and Houses, the Success of our respective Businesses, as well as to prevent

vent the Scandal and Reproach that by such allowed Practices must necessarily be brought on Magistracy it-self, and to prevent young and unwary Persons from being seduced into ruinous Debaucheries, we do present this Affair to this honourable Court as well worthy it's Inspection and Cognizance, that it may take such Mea-sures to put an effectual Stop to it, as may best answer the gracious Intentions of his Majesty's Proclamation, and conduce to the Preservation of the Peace and Hap-piness of this City.

Thirdly, It is with great Concern that we find it our indispensable Duty to represent, that the Streets in general lye in so very bad and neglected a Condition, that many Places are scarcely to be passed through by those on Foot, and utterly unpassable for Coaches and Car-riages, to the great Hindrance and Detriment of the publick Busines; that by reason of the Unevenness and Slipperiness of the frozen Banks and Stoppages, many have received dangerous Falls and Bruises, and others been exposed to such Accidents as have tended to the Loss of their Lives. We apprehend therefore these Misfortunes the more grievous, inasmuch as large Sums of Money are annually raised in the several Wards of this City for publick Rakers, whose proper Busines it is, as we apprehend, to preserve the Streets open and clear from all such Obstructions that might prove any Annoyance, or just Occasion of Offence, to the In-habitants; and the rather, because if the large Sums of Money annually raised should be found insufficient to answer these Purposes, every Ward, we apprehend, has a Right, and ought in Justice, to raise within itself such further Sums, as shall be fully answerable to the Ex-pences of such a necessary and desirable Service; a Ser-vice, which, we apprehend, is not to be neglected, with-out a very great Reproach to a City so remarkable for the Number and Opulence of it's Inhabitants, the Im-mensity of it's Trade, and the Excellency of it's Laws and Constitution. We therefore humbly present to this honourable Court the several Rakers of this City, whose Names are yet unknown to the Jurors, for negle-gting their several Duties, in not cleansing the several Streets following, *viz.*

Bishop/gatt.

Bishopsgate-Street, from St. Helen's Church to the Corner of *Houndsditch*.

Leadenhall-Street, from the Market to *Cornhill*.

The greatest Part of *Cornhill*.

The greatest Part of *Lombard-Street*.

The End of *Threadneedle-Street*, adjoining to *Stocks-Market*.

The front Part of *Stocks-Market*, many Mischiefs having already happened.

The Poultry, at the End of the *Old Jewry*.

Throgmorton-Street.

Cateaton-Street.

Broad-Street, entering *New Broad-Street*.

Wood-Street, by *Cripplegate*.

St. Martin's, and through *Aldersgate* into *Aldersgate-Street*.

From *Newgate* to St. Sepulchre's Church.

Old Bailey, near the Entrance into the Session-House Yard.

Fourthly, We humbly conceiving that the violent and riotous Behaviour and Proceedings of tumultuous Mobs at the Times of Bonfires within this City, do cause the greatest of Mischiefs, not only to the Citizens of this City, but also to all his Majesty's Subjects in general; we therefore humbly represent it to this honourable Court as a Matter of the greatest Concern, and requiring the utmost Consideration of Magistracy for it's due Regulation and Amendment.

Thomas Morson, Foreman,
William Deane,
Jasper Waters,
John Moreton,
Joseph Scott,
John Harvey,
John Brown,
James Walton,
John Bowles,

Edward Lawrence,
Thomas Browning,
Thomas Cooper,
Thomas Steward,
John Hunt,
Vincent Leggate,
William Weatherby,
Burkett Fenn.

June 6th, The *East India Company* had Advice by the way of *Turkey*, that Capt. *Langworne* of the *Prince William*, in the *East India Company's Service* (who sailed from the *Downs* on the 13th of March 1738,

East India Company's Advices.

bound to *Madagascar* and *Bombay*) had, in her Voyage taken up a Man at *Madagascar*, who was one of the fifteen brave, but unfortunate Persons that endeavoured to save the *Sussex India Ship*. The Substance of the Account the Man gave was as follows, viz. that when they parted from the *Winchester* they made for the Island of *Madagascar*, which they accordingly arrived at; but that the Natives came down to the Shore in such Numbers, and behaved in such a Manner, as gave the Men Apprehensions that they should be murdered; on this they stood out to Sea again, but unhappily run the Ship on a Shoal called the *Bassas de India*, where she was lost with ten of the Men; that the other six got on Shore in the Boat, but all died, except the above-mentioned Person, who was well on board the *Prince William* when the Letter was wrote.

September 16th, An Express arrived at the Admiralty Office, with Advice, that his Majesty's Ships the *Rochester* and *Chester* were safely arrived off the Start from St. Helena, from whence they sailed the 10th of July, with the following Ships under their Convoy, who all arrived safe, viz. the *Marlborough*, *Smith*, from *Bencoolen*; the *Harrington*, *Jenkins*, from *China* and *Bombay*; the *Walpole*, *Bedham*, from *Borneo* and *China*; the Duke of *Lorrain*, *Compton*, from *Fort St. George* and *China*; the *Defence*, *Coates*, from *Mocha*; the *Shaftsbury*, *Booker*, and the *Granham*, *Hale*, both from *Coast and Bay*; the *Britannia*, *Sommer*, from St. *Helena* and *Bencoolen*; the *Richmond*, *Weston*, from *Bengal*; the *Lynn*, *Gilbert*, from *Madras* and *Coast and Bay*; the *Houghton*, *Worth*, and the *Augusta*, *Townsend*, both from *China*.

By these Ships the Company had an Account that Capt. *Jenkins*, in the *Harrington*, had been attack'd by some Grabs belonging to *Angria* the Pirate, but after a sharp Engagement of 12 Hours, wherein the Pirates lost a great many Men, he cleared himself from them, and got off with very little Damage.

They likewise received the Deposition of the above-mentioned Sailor taken up at *Madagascar* by Capt. *Langwirth*, whose Name was *John Dean*, the Summary of which was, that in four Days after the *Sussex* was deserted by her Captain and the rest of her Crew,

he and the other 15 honest Sailors that staid on board directed their Course for *Madagascar*, where in four Days time they arrived, not having had occasion to pump more than once in all that Time. That having fitted up the Ship in the best manner they were able, they sailed for the Portuguese Settlement of *Mozambique*, in order to have got farther Assistance to bring the Ship home; but no Chart or Instruments being left on board the Ship, in their Passage they had the Misfortune to run on some Shoals called *Bassas de India*, where they were wrecked, nine chose to continue on board the Wreck, and seven to seek their Fortune in the Boat, of whom the said *John Dean* was one; and after having suffered greatly, three of them lived to get to *India*, where two died: The Survivor, *Dean*, was then expected home in the *Haesling field*, Capt. *Cooke*.

On Wednesday, May 21st, was had at the Exchequer at *Westminster*, a Trial of the *Pix*; that is to say, a Trial of all the Gold and Silver Monies coin'd in his Majesty's Mint within the Tower of *London*, between the 15th of August 1734, and the 23^d of May 1737, when the Jury was sworn before the following Members of the Privy Council, viz. Lord High Chancellor, Lord President of the Council, Duke of *Devonshire*, Duke of *Newcastle*, Duke of *Richmond*, Earl of *Pembroke*, Earl of *Fitzwalter*, Earl of *Ilay*, Earl of *Abercorn*, Viscount *Torrington*, Lord *Sidney Beauclerc*, and Sir *Robert Walpole*. The Trial of the *Pix* is by a Jury of Goldsmiths, who are sworn to enquire and report, whether the Monies coined are agreeable in weight and fineness to the Laws of the Realm made to regulate the same. The Lord High Chancellor gave a most excellent Charge to the Gentlemen of the Jury on this Occasion, setting forth the Wisdom of the Legislature in directing such an Enquiry, and the Importance and Usefulness of a due Execution of it.

His Majesty having granted a Patent for a Market in *May Fair*, in the Parish of St. *George Hanover Square*, to Sir *Nathaniel Curzon*, Bart. and his Heirs for ever; and Mr. *Edward Shepherd*, the Surveyor, having purchased a Lease of the said Patent, and of a large Piece of Ground for erecting a Market House, and Houses round the same, for a Term of 999 Years,

*Trial of the
Pix.*

*May Fair
Market
granted.*

he this Year began to build the Market House, &c. and in a few Years this may probably become as noted a Market as any in *London*, considering the great Number of new Houses lately built in that Neighbourhood, and their remoteness from any other Market.



C H A P. VI.

*Account of domestick Occurrences in the
Country Places throughout ENGLAND.*

*Hart Hall
made a
College.*

Sept. 10th, **H**IS Majesty's Royal Charter passed the great Seal to erect *Hart Hall* in *Oxford* into a College of that *University*, which is to consist of a Principal, four senior and eight junior Fellows; and by the said Charter *Richard Newton*, D. D. Head of the said Hall, was appointed the first Principal of this new College; which is impowered to hold in *mortmain* any Estate in Lands, Tenements, or Hereditaments, not exceeding 500*l. per annum.*

*Mob at
Newcastle.*

I have already mentioned the high Price *Wheat* and all sorts of Grain rose to last Summer. This occasioned Mobs in several Parts of the Kingdom, the greatest and most dangerous of which happened at *Newcastle upon Tyne*, and as the following Letter gives the best and most authentick Account of it, I shall give it in the Writer's own Words as follows.

Newcastle, July 3d, 1740.

ON Thursday the 19th of June early in the Morning we were alarmed with a great Mob of Pitt men, all armed with Clubs, and other offensive Weapons, many of them blowing Horns to gather the rest in a Body from most of the Collieries about us. As soon as they came into Town, they advanced to the Corn Merchants, whose Shops and Granaries being shut up, to avoid their Insults, they repair'd to the Magistrates, demanding their own Terms in such a threatening

threatening Manner as occasioned great Confusion ;
inasmuch that none of them either knew how, or
dared, to interpose their Authority at this dangerous
Juncture. The Mob, seeing no Resistance, soon grew
more numerous and more mischievous. They then
proceeded in the most riotous Manner to break open
all the Granaries they knew of; and wasted and distri-
buted the Corn, just as their Wildness directed them.
In this distracted Condition we remained till the *Sat-*
turday Morning; at which Time all the Inhabitants
were summoned to meet the Magistrates, and such a
Number as was thought necessary, had Arms and Am-
munition given them : Upon which they advanced in-
to the Heart of the Town, and dispersed the Mob,
taking several of them Prisoners ; and in a few Hours
we had the Happiness of seeing the Town tolerably
quiet. We had now some time to look about us,
having placed a strong Guard at all the Gates, and
other Avenues in the Town ; and our Merchants be-
gan to sell what Corn they had left, at the lowest
Prices to all those Poor who might really be distressed.
In this Situation we continued till the *Wednesday*
Evening, when unfortunately for us our Guards were
all discharged. This Step occasioned a general Dif-
content, and what followed occasioned as general a
Consternation: For on the *Thursday Morning* there
appeared a much greater and more incensed Mob than
ever, the others being joined by most of our Keel-
men, and Mr. Crawley's Men from his Iron Works:
This enraged Multitude marched through all our Streets,
releasing the Prisoners in their Way, and threatening all
those with certain Destruction that had any Dealings
in Corn, or had been any Way assisting in guarding
the Town. We now saw too late what Riot and
Distraction must inevitably follow ; and in this sad
Exigence a worthy Gentleman who had before been
of great Service to us, readily hazarded his Person,
at the Head of as many as were willing to take up
Arms, to disperse once more this ungovernable Crew.
I mention this Particular, as I thought it a generous
Act, and am convinced that it was a brave one too ;
for in Council he did his utmost in favour of the Poor,
and at the Head of our Freeman he did all that was in

the Power of Man to do; he faced an almost innumerable Mob, of perhaps the stoutest and most resolute Fellows in the World; and by his Lenity, we were hoping to see them pacified. But these Wretches being enraged to a Pitch beyond all Sense of Reason or Mercy, rush'd upon him, and seized the Arms of all they could lay hold on. Those in the Rear seeing this desperate Attack, unfortunately fired amongst them, hoping by that terrible Means to see them disperse; but the Mob finding one of their Men kill'd, and several wounded, were so exasperated, that they pour'd in upon them with more Fury than can be imagin'd by any who never saw so dismal a Scens. Those of the Freemen that could, retired into the Town-court and Exchange (which makes up one side of the Square where the most of this unhappy Tumult was) and barricado'd themselves in as well as they could: But now all their Rage and Fury was bent against that Place which shelter'd these unfortunate Men; and in a few Hours time (the Mob being now Masters of most of the Fire-Arms, &c.) broke into all the Offices and Courts of Judicature; but luckily they happened to shew themselves more intent upon Plunder than Revenge, so that those who were conceal'd in what Corners they could find, providentially escaped without the Loss of any of their Lives; though some of them had their Limbs broke, and many were severely bruised and beat. The News of this struck such a Terror into all the Inhabitants, that now nothing was heard but Shrieks and Cries of Women, and every one running in Confusion about the Streets, securing what valuable Effects they could. During this the Mob were destroying every thing they met with, stripping the Town-court of all it's Orniments and Furniture, tearing up the marble Pavements, wrenching the iron Bars out of the Windows, not leaving the least, or any Moveable they could lay Hands on. At last they found out the Town's Treasury, and after some Hours Violence, broke open all the Locks, tearing Plates of Iron asunder like so many Laths; immediately after, Papers, Books, and Pieces of Money were seen flying about, and seized upon by those who had most Strength or Dexterity to come at them. This mad

Scene

Scene being near finished, they were determining what Houses should next undergo the same Fate; and to that wicked Purpose were beginning to move forward, when we had notice of three Companies of Soldiers at our Gates, which happen'd to be on their Rout to *Durham* and *Sunderland*, to quell a Riot at those Places. This signal and providential turn of Fortune so spirited up the Inhabitants, that instantly there appear'd at the Head of the Soldiers as great a Number in Defence of the Town and their own Property, as there were Mob on the other side. The commanding Officer seeing the Resolution of the People who join'd the Soldiers, immediately halted, and before the Word of Command was well given his Men had all fix'd their Bayonets to their Muskets, the Sight of which so dismayed the Mob, that presently they gave way, and then the Towns People rush'd upon them with as much Violence, and as little Mercy, as they had shewn before; so that about Midnight there was not one to be seen, but those they had taken Prisoners, or those so main'd with Blows and Bruises that they were not able to make their Escape. Upon the Whole of this Matter, which I may venture to say is true in every Particular, if the Soldiers had not luckily arrived as they did, this rich and populous Town had not only been plunder'd, but reduced to a Heap of Ashes.

Soon after, there happened such another Mob at *Norwich*, of which the following Letter gives the best Account.

Norwich, July 12, 1740.

SIR,
BY last Monday's Post I just intimated to you the Mob at
Norwich. Consternation we were in, by the common People in our City assembling themselves in a tumultuous manner; They being now dispers'd from my Neighbourhood, and believing an Account of the Matters of Fact which have happened among us, by their outrageous Proceedings, would not be disagreeable, I have as under sent the Particulars from their first setting out till this Day.

Qn

On Sunday last there was a sort of a Riot in the Morning occasioned by the Fishmen crying the Price of Mackerel at three Halfpence a-piece, and immediately after advancing them to two Pence; but this soon pac'd off, and all Things seemed to be quiet till Monday Morning, when the meanest of the People began to be very tumultuous, and went to every Barber in the City, and affix'd a Note on his Door in these Words, *Wheat at sixteen Shillings a Comb.* By this time the Court met at the Hall in our Market, and call'd in the Dragoons to be their Guard and Assistants; and immediately dispersed printed Advertisements, to inform the Multitude, that they were determin'd, to the utmost of their Power, to put in Execution the Proclamation of their Excellencies the Lords Justices, for preventing the Exportation of Corn: This Notice 'twas hoped would have quieted the Minds of the Common People, and prevented them from pursuing such illegal Practices, which would bring upon themselves the severe Penalties of the Law. Notwithstanding this, every Motion tended to Mischief from that time. About eight in the Evening, the Mayor committed three or four disorderly Fellows to Prison; which Act so incensed the Mob, that they broke open the Prison, released their Companions, and have scarce left a pane of Glass whole in the Prison, or in that side of our Hall which faces the Prison. Upon this Outrage of the Mob, an unthinking Gentleman is said to have taken a Musket out of the Hands of a Dragoon, and shot a Man through the Head. You will imagine how this enraged the Population; and the Consequence of that Evening's Work was, three Men, a Boy, and two Women, were shot. Who is able to answer this I know not. The Mob was dispersed for that Evening; but on Tuesday Morning they assembled in a large Body again, and did a great deal of Mischief to the Mayor's Dwelling House, Mr. Alderman Black's, and many others. The Alderman and his Family were obliged to quit the House, and conceal themselves from the Fury of the Mob, who were fully purposed to use them ill; but in a short time after this they were appeased by a sort of a Treaty negotiated by Plenipo's on both sides.

Not-

Notwithstanding which, on *Wednesday* Morning, they met again, in *Conisford-Street*, and stopt a Keel on the River loaded with Wheat and Rye: which was divided among themselves: After which they visited the Inhabitants in general, extorting Money from them, and upon a Denial, threaten'd to demolish their Houses. Early on *Thursday* Morning, by sound of Horns, they met again; and after a short Confabulation, divided into Parties, and march'd out of Town at different Gates, with a long Streamer carried before them, purposing to visit the Gentlemen and Farmers in the neighbouring Villages, in order to extort Money, strong Ale, &c. from them. At many Places, where the Generosity of the People answered not their Expectation, 'tis said they shew'd their Resentment by treading down the Corn in the Field, and doing further Mischief to their Houses and Cattle. Their Walk this Day being long, and the Weather warm, few of them return'd to *Norwich* in the Evening; but on *Friday* Morning many were seen some distance from Town, asleep under Hedges, supposed to be intoxicated with Liquor.

All *Friday* we were quiet again; and I hope, upon Reflection, that these unthinking Wretches will be so wise to disperse, to prevent the farther Mischiefs that must otherwise necessarily ensue, and subject them to all the bad Consequences that will attend their continuing together.

The Hall in our Market is now a sort of a Garrison, under the Guard of the Dragoons. We have been reinforced since *Monday* by two Parties, and expect many more. This is our present Situation. As to the Rumours handed about on this Occasion, they are as various as the Complexion of those who report them; but I have sent you nothing but Matters of Fact.

The three Men, Boy, and two Women, were all shot within twenty Yards of my Door; and many more were dangerously wounded.

April 26th, some of the Inhabitants of *Dewsbury*, Mob at *Battley*, *Earles-Heaton*, and other adjacent Villages, assembled in a riotous and tumultuous Manner; with a Pretence

Pretence to prevent the Badgers from making Wheat Meal or Flower, to send into other Counties, alledging that such Practice would cause a Scarcity in Yorkshire, and much advance the Price of Corn; the Number assembled on that Day, was supposed to be 4 or 500; they went to Dewsbury Mill, and on their Way met with John Wilson's Cart, supposed to be loaded with Flower, but he having some Advice of the Design, had filled his Sacks with Bran Dust, &c. The Mob finding themselves deceived, went to the Mill, broke in Pieces the Boulting-Mill, and took away what Meal they found there.

On Sunday the 27th, the Rioters assembled again in like Manner, broke a Boulting-Mill at another Place in Dewsbury Parish: Sir Samuel Armitage, Bart. the High Sheriff, and Sir John Kaye, Bart. hearing this, with their Servants went to meet them, in order to prevail with them to disperse; upon which the High Sheriff read the Proclamation, but to no Purpose, for the Rioters threw Stones and other Things at them, and refusing to disperse, advanced to another Mill in Thornhill Parish, where they took and carried away all the Meal and Corn they found, pulled Part of the Mill down, and carried away the poor Millman's Provision, as Beef, Bacon, &c. Sir John and the High Sheriff desired that some of them would come to his House at Grange on the Day following, where he would call the neighbouring Justices together to hear their Complaints, and redress their Grievances, if any; accordingly some of the neighbouring Justices came there. The Mob, supposed to be about 1000, likewise came, by Beat of Drum, and Colours carried before them, in Defiance of Authority; but the Gentlemen were not able to prevail on them to return to their Homes, by any Means they could use; therefore the Rioters, with Huzza's, crying, They neither cared for the High Sheriff, nor the Justices of Peace; left Sir John Kaye's House, and went to Bretton Mill, from thence to Woolly Mill, from thence to New Miller's Dam Mill, where they broke all the Boulting-Mills they met with, and carried away all the Corn and Meal they found: As they went along, their Number increased, and many great Disorders were committed. The same Day the Rioters went to Cuggleston

gleton in Sandal Parish, where they broke into a Barn of Joseph Pollard, and took and carried from thence a great Quantity of Flower; Pollard having some Fire Arms, shot at some of them, and took some Prisoners, which Prisoners he carried to Wakefield on Tuesday the 29th, when Mr. Nevile and Mr. Zouch were met at Capt. Burton's, to consult what Course to take, in order to quash this Uproar; in the mean Time a great Number of those Rioters, by Beat of Drum, advanced up Wakefield Streets about two o'Clock, boldly saying, They were come to release those Prisoners, and that they would pull down Pollard's House, hang him up and skin him like a Cat; but Captain Burton, of Wakefield, boldly advanced to the Head of those Rioters, knocked down 3 or 4 of them with his Stick, seized and took 6 or 7 of them Prisoners, and in Person went before those Prisoners to the House of Correction, where they now lie; the Persons charged refusing to go for Fear of the Mob. The same Day a Detachment of Soldiers being sent from York, came into Wakefield's since which they have been tolerably quiet; but we hear there are still great Murmurings among the common People.

The following Letter from Wisbech in the Isle of Ely, dated July 5th, gives an Account of a Mob there too upon the same Account.

We have had a Rising of the Mob in our Neighbourhood divers Times, but never attempted this Town till Sunday last, when they broke the Merchants Windows, and carried off from four or five of them above twenty-five Last of Wheat, and threatened much more the Wednesday following; and had the Impudence to stay in Town all Night, and obliged Waggons to assist them in carrying Home their Corn as if they had fairly bought it, and obliged the Merchants to sell Wheat at 4 s. per Bushel hereafter, not only to them, but also to the Bakers, where they regulated the Weight and Price of Bread. This Success encouraged them to visit the Houses of all Sorts of People, and demanded Money, collecting above 30*l.* This was happy for the Merchants, for as the Mob's Pretence was only to prevent shipping Corn, and set-

At Wisbech,

enclosed
is
to
you
and
will

tling the Price, the trading Part thought themselves unconcerned whilst their Pockets were secured ; but since they found they must come into the Contribution, they cried out for Help; upon which the Gentlemen met on *Tuesday*, and subscribed near 200*l.* and by Beat of Drum enlisted above five hundred Men, whom we headed, and went about a Mile out of Town to seek for them ; but none appearing, we came to a Resolution to go the Day following to *Upwell*, (about six Miles) the Residence of many of them, as well as the chief Place of their Rendezyouz, which succeeded so well, that we took above forty, which has struck such a Terror into them, that they now fly like Sheep, and the Townsmen bring in Stragglers daily. We have now in Goal above sixty in Irons, and the Magistrates are very busy in taking their Examinations.

And at
Bristol.

They were likewise in some Danger at *Bristol*, from the Rising of the Colliers in that Neighbourhood, who during the Month of *September* assembled together several Times in a tumultuous Manner, and insisted upon having Corn at 6*s.* a *Bushel*; but as there was a Regiment in the Town, and the Townsmen had prepared for their Defence, the Mob did not offer at any violent Attack upon the Town, and the Magistrates took Care to let them have Bread as cheap as possible.

A remarkable Instance of filial Duty in a young Sailor.

The following Letter contains such an exemplary Account of Resolution and filial Duty in a young Sailor, that I cannot omit inserting it.

Newport, in the Isle of Wight, Dec. 7. 1740.
 In the last hard Weather a *North Carolina* Ship loaded with Tobacco, was drove full against our *White Cliffs* in the Night Time, that lie at the West End of the Island, and rested her Head on a Rock, where she continued for about an Hour, and then broke to Pieces. The Captain very imprudently leapt overboard at first striking, and was seen no more : The Men got off the Bow-sprit End on a Rock that projected out a little and made a Shelve in the Cliff, where they continued till Day, but then saw themselves in the most deplorable Situation imaginable ; the raging Seas

Seas below and above, steep high Cliffs hanging over their Heads ; and here they must have perished, had not a most remarkable Instance of filial Duty and tender Affection for a dying Parent produced a surprising Resolution in a Lad, who commiserating his Father's perishing Condition without a speedy Relief, the Terrors of a tempestuous Sea foaming and beating against the Rocks, did not dismay him, but desired to be let down by some Threads of spun Yarn that they happened fortunately to have with them ; and, surmounting all Difficulties, by the good Hand of Providence was preserved through the Rocks round a Point of the Cliff to a low Place on the Shore, (for more than a Quarter of a Mile) where he got safe in a most wonderful Manner, the Sea running most frightfully high, that it was a great Miracle he was not dash'd to pieces ; but he happily got safe to Shore, and directed the People where to let down Ropes to draw up the poor distressed Ship's Crew, which was accordingly done, and all of them saved.

The two following Trials are likewise so remarkable, that they deserve a Place in these *Annals*, the one as a Warning for People not to give way to a cruel Passion, and the other as a Warning for People not to lead themselves into Necessities by Extravagance.

April 4th, Came on at Taunton Assizes, the Trial of Mrs. Elizabeth Branch and her Daughter, for the Murder of Jane Butterworth, their Servant Girl, in their House at Hemington, near Philips Norton, in the County of Somerset ; when they were both found guilty, and received Sentence of Death.—In the Course of the Evidence it appear'd, that the Deceased had been sent to a neighbouring Place for some Barm, but forging a Lye, so exasperated the Daughter, that she violently struck her with her Fist about the Head, and pinched her Ears. That then the Prisoners jointly flung her upon her Face upon the Floor, and in the Presence of Anne Somers (who was the Dairy Maid, and the principal Evidence) Elizabeth, the Daughter, kneeled upon the Deceased's Neck, and both Mother and Daughter whipt her with Twigs for a considerable Time, till she run with Blood. That then the Daughter took off one

Two Gentlewomen
convicted
of a most cruel
Murder.

of the Deceased's Shoes, and beat her about the Breech and Hips with the Heel thereof, keeping her with her Knee on the Ground, and the Mother still whipping. That the Deceased getting up, ran into the Parlour, presently followed by both the Prisoners, who now had got Sticks, with which they fell beating her about the Head and Shoulders, driving her from Place to Place, till the Deceased was quite maz'd, and unable to stand. That then the Daughter threw part of a Pail of Water on the Deceased, to cool her, as she called it. That the Daughter afterwards rubbed her Breech with Salt, which was all bloody with whipping. That the Evidence Somers, on her return from milking, found both her Mistresses sitting by the Fire, and the Deceased lying on the Floor. That she observed that the bloody Cap which the Deceased had on before she went a milking had been changed, and a clean one put on, and the Blood had run through that likewise. That presently she told her old Mistres, the Girl was dead; on which she called her Welch Bitch. That the Deceased was put into a Bed, with whom the said Somers was ordered to lie; but she did not touch her, knowing her to be dead. — That shortly after the Deceased was buried, under the Notion of her dying suddenly: But there being a muttering among the Neighbours, the Body was taken up, and examined by Mr. Salmon, who depos'd, That he went with the Coroner and some of the Jury to examine the Body, and found a violent Bruise in the *Os Frontis*, and both Tables of the Skull broken. He also saw a Wound a little above the Temple Bone, which he thought to be the most dangerous; and another in the *Coronal Suture*. That he also observed in the Regions of the Loins a dangerous Wound; the Fingers of one Hand with the true Skin beat off, so that he saw the *Flexor* Muscles and Tendons bare; the Anguish whereof, with the other Wounds, he thought might be mortal: That her Arms, Thighs, and Legs were greatly bruised, scarce any part but the Breast and Belly free; and in general appeared to be so barbarously and inhumanly used, that it was enough to have killed the stoutest Man: That he apprehended there must have been a vast Effusion of Blood, from the Appearance of some of the Wounds being pale and of a Cherry Colour; for Wounds

Wounds given in a plethorick State will be livid and blackish. That the Wounds must be given in Life, whilst the Blood was in it's Circulation; for when that is ended, no Blood or Bruise will make any Alteration or Colour in the Flesh.

Henry Butler also depos'd, that he was Servant to Mrs. *Branch*, and often saw her and her Daughter beat the Deceased very cruelly, and break her Head on slight Occasions: That they often beat him barbarously; and once till he be-t himself; and they took his Excrement in their Hands, and thrust it into his Mouth, and made him eat it.

The Prisoners, in their Defence, confess'd, they did beat the Deceased; but if she had any Wounds in her Head, they were occasioned by a Fall with a Pail of Water; but own'd they could not prove it, no Person being in the House but themselves: Concluding, that the Persons who took up the Body had Malice enough to make the Wounds in the Deceased.—But the Surgeon's accurate Description of the Case, was sufficient to wave so artful an Inſinuation.

Another material Circumſtance of Guilt appeared from the Prisoners refusing to admit any one to see the Deceased, who was buried in the moſt private Manner.

When Sentence of Death was paſſed, old Mrs. *Branch* appeared very little concerned; but the Daughter continued at the Bar ſuing for Mercy; and praying the Court for a Reprieve.

Mrs. *Branch* was poſſeſſed of 200 l. a Year. There were eight Counsel to plead their Cause; and great Plenty of Money expended to ſave their Lives.

When they were brought to take their Trial, the Country all around roſe, crying vehemently againſt Mrs. *Branch*; and after Condemnation, they were conveyed back to *Iveleſter*, under a strong Guard, in the Dead of the Night.

And on the 3d of May they were both executed at *Iveleſter*, *Somersetſhire*, about four o'Clock in the Morning, when the Daughter ſeemed to be under deep Concern, bat the old Mother, aged 67, went out of the World without the leaſt Ejaculation or ſeeming Concern.

March

A Gentle-
man con-
victed of
Parricide.

March 28th, came on before Mr. Justice Page, at the Assizes at St. Edmund's-bury, in Suffolk, the Trial of Mr. Charles Drew, for the Murder of his Father Charles John Drew, of Long Melford in that County, Esq; which held from 7 o'Clock in the Morning till 12 at Noon.

The Council for the King were Mr. Serjeant Prime, Mr. Lloyd, Mr. Clarke, Mr. Baldwin, and Mr. Williams: For the Prisoner, Serjeant Urlin (the Deputy-Recorder of this City) and Mr. Pilsworth. The Council for the Prisoner moved that the Trial might be put off to the next Assizes, but it was not agreed to.

There were about 16 Witnesses examined to support the Indictment; but the principal Evidence against the Prisoner was Edward Humphrys, formerly an Ale-house-keeper at Long Melford, who deposed, That on the 31st of January last, about 9 o'Clock at Night, as he was coming from Witham to Long Melford, he met the Prisoner with a Gun in his Hand, in a Lane between the two Houses of the late Mr. Drew (for the Deceased used to do his Business, and frequently lodged in a House at some Distance from that in which his Family lived); that he got off his Horse, and put him into a Field, and then the Prisoner hid his Gun in a Necessary House, and they walked together to that House where the Family lived: That the Prisoner carried him into his Lodging Room, and give him a Dram of Brandy: That it being then between 11 and 12 o'Clock, they went together towards Mr. Drew's other House (where the Murder was committed) and the Prisoner taking his Gun with him, knock'd at the Door, and the Deceased opening the same, Humphrys being in the Street, at a little Distance, immediately heard a Noise within the House, but (pretended) could not distinguish whether it was the Report of a Gun, or the Fall of the Knocker of the Door: That then the Prisoner came out, and they walked together towards Liston-Hall, about a Mile and half from Mr. Drew's House; and as soon as they had parted, Humphrys went back to the Place where he had left his Horse, and rode away to Dunmow in Essex, and did not hear of the Murder till he got to London. Humphrys being asked from the Bench, what Discourse they had in their Way to Liston-Hall,

he

he reply'd, the Prisoner said *He had done the Job*; and being ask'd what Job the Prisoner meant, *Humphreys* pretended not to know, saying the Prisoner expressed himself no farther.

Then a Servant Maid who lived at *Liston Hall* at the Time the Fact was committed, and who let the Prisoner in on his return from murdering his Father, was examin'd as to the Time of his Return, who deposed, that it was at a Quarter after 11 o'Clock. The Maid being asked from the Bench, how she knew the Time of his Return so exactly, she replied, that the Prisoner pulled out his Watch at his coming in, and looking on it, said it was just a Quarter past 11.

Other Witnesses swore, that *Humphreys* was at *Mel-sford* that Night, and that when he came thither again about a Fortnight after, the Prisoner went to his House at Midnight; that when *Humphreys* was apprehended, the Prisoner shewed a very great Uneasiness, threatened the Constable, and when a Gentleman pressed him very strongly to prosecute *Humphreys*, and told him plainly the Suspicion he would lie under if he did not do it, he was so far from taking his Advice, that he would have bribed that same Gentleman to endeavour at getting *Humphreys* discharged; that soon after this he went to *London*, where he took the Name of *Thomas Roberts*, left off his Mourning and wore lac'd Clothes, took great Pains to conceal himself, gave Orders for conveying away his Estate, and hired one *William Mace* to go from *London* to *Bury Goal* (where *Humphreys* was confin'd) to hear what he would say; that while the Prisoner *Drew* was in *Newgate* he endeavoured to corrupt one of the Turnkeys to let him escape, and go with him to *France*, by giving him a Bond of 1000*l.* a Bill of Sale for several things of Value (part of which he delivered) and a Note in which he promised him half his Estate, in case he should come home by his Majesty's Indemnity or otherwise; all which Papers, and three or four Rings that the Prisoner gave him, were produced in Court.

The Prisoner called only two Witnesses to his Defence, one as to the Time of Night when he went from home, the other as to the Time when he got to *Liston Hall*: But they differ'd so little from *Humphreys*, that

they seemed rather to confirm his Evidence than to contradict it. Upon the whole it appeared so clearly that *Drew* either actually committed the Murder, or at least was an Accomplice in it, that the Jury in a few Minutes, and without going out, found him guilty of the Indictment, and he accordingly received Sentence of Death.

Upon the 9th of April he was, according to his Sentence, executed at St. Edmund's Bury, and died in all the Horrors such a cruel and unnatural Crime must be attended with.



C H A P. V.

An Account of the Occurrences in SCOTLAND.

General Assembly meets.

AS the general Assembly of the Church of Scotland had nothing very material before them, I shall only take Notice that they met on Thursday the 15th of May, being the second Thursday of that Month, according to Appointment at the Dissolution of the preceding Assembly*; and that the Right Honourable the Earl of Hyndford was again appointed his Majesty's high Commissioner.

The Duke of Argyll's reception in Scotland.

His Grace the Duke of Argyll being removed from all his Posts in the Government, as I have already mentioned, and consequently having nothing that could necessarily detain him at London, he set out for Scotland soon after the End of the Session of Parliament, where he arrived on the 9th of June, and was immediately waited on by all the Persons of Quality and Distinction at Edinburgh. On the 2d of July it was moved in the Convention of Royal Boroughs met at Edinburgh as followeth, viz. ‘ The general Convention of the Royal Boroughs of Scotland nominate and appoint the Boroughs of Edinburgh, Perth, Dundee, Aberdeen, Stir-

* See Annals for 1739, Vol. I. pag. 330.

ling, Lanlithgow, St. Andrew's, Glasgow, and Inver-
berie, as a Committee of their Number, to wait on
his Grace the Duke of Argyle, and to assure him of
the great Regard they have for his Grace's Person and
Family, and to declare their entire Satisfaction with
his Grace's Appearances for the Honour and Interest
of his Majesty, the Preservation of the Liberties of
his Majesty's Subjects, the Commerce of the Nation,
the Rights and Privileges of the Royal Boroughs, and
the City of Edinburgh in particular.

This Motion being agreed to, their Deputation waited
upon his Grace accordingly the next Day, when he re-
turned them an Answer to this Effect.

Gentlemen,

I AM unworthy of the great Honour which the
Royal Boroughs are pleased to do me. I have in
all my Actions most sincerely meant the Service of
my King and Country, it was my indispensable Duty
so to do. Merit I have none.

August 5th, Messieurs John Forrest, Alexander Ar-
buthnot, Hugh Hethorn, John Couts, Patrick Craw-
ford, William Hog, Thomas Dundas, Robert Baillie,
George Millar, Gavin Hamilton, Laurence Dundas, John
Haliburton, Thomas Fairbairn and John Wilson, as a
Committee of the Merchant Company of the City of
Edinburgh, waited on his Grace the Duke of Argyle,
at his Lodging in the Abbey, when Mr. Forrest, Preses
of the Company, addressed his Grace as follows,

My Lord,

WE are appointed by the Merchant Company of
Edinburgh to wait on your Grace, to express
the deep Sense they have of the Obligations all of us
lie under to your Grace, for your ready Adherence
to the true Interest of your King and Country, for
the Appearances you have made in the Defence of
your Country's Liberties, and in particular in favour
of the City of Edinburgh; and for the great Regard
you have upon all Occasions shewn for the trading
Part of the Nation. It is our sincere Wish, that all
Members of Parliament were possessed of your Grace's

‘ Principles, and any Interest we have shall be used to promote the Election of such Men.’

August 15th, The Deacon Conveener of the Trades of the City of Edinburgh, accompanied by the Deacons of the Goldsmiths, Wrights, Masons, Taylors, Shoemakers, Weavers, Hatters, Dyers and Butchers, waited on his Grace, and presented the following Address.

My Lord,

WE the Conveener and Deacons in Name of the several Incorporations of Edinburgh, and as being authorised by them, think it our Honour and Duty to wait upon your Grace, with the greatest Gratitude to assure you of the high Esteem we have of your Grace’s Merit, of the Obligations we lie under to your Grace, for your so singularly distinguishing yourself on all Occasions, in Support and Defence of the real Interest and Glory of our King and Country, the Liberties and Commerce of the Nation, the Independence of Parliaments, and particularly the Privileges of this City; and are highly sensible, how much it would tend to our Happiness, and our Posteriority’s, to have Men of such Sentiments as your Grace, in every Station attended with Power and Influence.

To both these Addresses his Grace returned proper Answers, and took that Occasion to warm them with the noblest Sentiments of Liberty, and of Duty towards their King and Country.

August 25th, The Guild Brethren of Edinburgh met in the Lower Parliament House there, which was so crowded that many were obliged to stand without Doors. As soon as they had all assembled, the Dean of Guild told them, That the State of the Nation, and of the City, was such, as loudly called for the deepest Attention; that to be silent on such an Occasion, would be a Reflection on their Body: Therefore, as the several Incorporations of Trades had already made their Sentiments publick by addressing his Grace the Duke of Argyll, it was proposed, that they likewise, as now the only remaining Society, should attend his Grace. As soon as the Motion was made, a general Silence ensued, when

when Mr. Archibald Stewart, Wine-Merchant, stood up, and spoke to this Effect, That he thought that Motion too good, and too full of publick Spirit to be opposed; that it was with Pleasure he reflected on the Virtues of the great Man whom they were to address, Virtues, which the Nation in general, and this City in particular, had known to be truly great and disinterested; that for the Guildry to refuse their Assent to such an honest Proposal, was not to be imagined, as they had all a higher Sense of Honour and of Gratitude towards him, who had rescued them from Destruction, yea saved their very Being, as a Body corporate: That he observed with Pleasure, in his late Journey to London, how much the Character of Argyle was revered; and as his Way of Business gave him an Opportunity of conversing with Men of all Ranks, it was with the utmost Satisfaction he could tell them, that all readily allowed his Grace to be the Champion of the Liberties of Great-Britain; that as he could not see one Reason which could hinder an unanimous Consent, so he saw every Motive on the other Side, that could plead with Freemen and with Citizens of Edinburgh; for it was now undoubtedl fir, that the World should know their unanimous Sentiments, which would at least produce one good Effect, and prevent an ill Use of present Power; nor that he designed to reflect on the present Set of worthy Magistrates, they were Men whom he esteemed, Men whose Administration had been every Way exact; and added, That he knew no Time, when any of their Predecessors had such Opportunities to make themselves popular; but if they employed that Popularity, to Ends dangerous and disagreeable to the City, it might well be said of them, what of old was said of the Great Cæsar, *What are Virtues in others, are Vices in them:* And with Cato, *Curse on his Virtues, they've undone his Country.* He then paused, and a little after addressed himself again to the Chair, and said, That a Form of an Address to his Grace was in his Hand, which he then read. The Dean of Guild openly desired every Person to speak freely, if they had any Thing to object; but no one spoke; on which all that approved were desired to hold up their Hands, when every Man in the House did so with the utmost Readiness. Then they appointed the

Dean of *Guild*, and his Council, Mr. *Archibald Stewart*, and such others as the Dean of *Guild* should please to name, to attend his Grace, which they did next Day. It was reckoned, there were upwards of 1000 of the most reputed Merchants and Shopkeepers of that City present upon this Occasion, and the Meeting concluded with a general and loud Huzza.

Their Address upon this Occasion was as follows:

‘ *My Lord,*
 ‘ We are deputed by the *Guildry* of the City of Edinburgh, to wait upon your Grace with the Compliments of that Body, and in their Name to return you their hearty Thanks for the many Favours which they owe to your Grace.
 ‘ They think it doubly their Duty to give you this publick Mark of their Gratitude, *As Citizens of Edinburgh*, for the Protection which you gave in so generous and so successful a Manner to this City and Magistrates thereof; when her Privileges, and even her very Being, as a corporate Body were in the utmost Danger; *As Britons*, for your noble and disinterested Behaviour in Parliament.
 ‘ They are very sensible how closely the real Interest of the King and Country is connected with the Independency of Parliaments; that it is the Duty of every good Subject and true Lover of his Country, to have that in their View in all Elections, and so far as they have any Influence, it shall be employed for promoting so valuable a Purpose.

‘ *Signed in Name and by Appointment of the general Meeting of the Guildry.*

‘ *Geo. Haliburton.*

And his Grace’s Answer was to this Effect:

‘ *Gentlemen,*
 ‘ If I had served my King, his Royal Family, and my Country, with as much Ability and Success, as I have done with Zeal and Honesty, I might have deserved some Share of the Applause you are generously pleased to bestow upon my good Intentions. I have undoubt-
 edly

edly meant to do my Duty, and to that End have ever steadily avoided all Manner of Dependance upon any of my Fellow-subjects in Power; and have never attempted, directly or indirectly, to bring any Man to the least Dependance upon me. I have strictly observed the Golden Rule, *of doing by others as I desire they would do by me.* But as careful as I have been by all my Actions to prove this Truth, there are, it seems, some Persons, though pretending to be my Friends, who find it their Interest, by injurious Insinuations, to dispute it. All Men must expect to have Enemies. I heartily forgive mine, and shall never endeavour to inflict any other Punishment upon them, than that of forcing them to esteem the Man, whom their dirty pecuniary Views oblige them to hate.

Gentlemen, I thank God, he has given me Spirit enough to detest and scorn all Views of Self-Interest in my publick Conduct; and, as one Evidence of my Sincerity, I heartily wish and pray, that every Man may do what his Conscience directs him to think will conduce to the Service of his King and Country, without the least Regard to his private Interest, or to any Subject whatever. For my own Part, I hope I shall be able, by my future Conduct, to convince every Man, who is capable of Conviction, that I most sincerely look upon *Virtue* to be its own Reward.

The several incorporate Companies of the Tradesmen of Edinburgh likewise addressed his Grace, which Addresses were all pretty much in the same Stile with those I have given already, and his Grace's Answers were the same, therefore I think it unnecessary to give Copies of any more of them.

October 14th, After holding the Head Court of the Shire of Wigtown, the Sheriff asked the Earl of Stair, Whether his Lordship had any Thing to propose for the Good of the Country? Upon which the Earl made a Speech, wherein he recommended to the Freeholders, above all Things, to be attentive to the Preservation of our happy Constitution, which he said, could be preserved only by a *free* Parliament, and that that Parliament could not be *free* which was composed of Members *unfree*, and such as depended on the Will and Pleasure

The Earl of
Stair's
Speech to
the Free-
holders at
Wigtown.

sure of a Minister; that such an Assembly could only retain the Name of a Parliament, like those in the End of King Charles II's Reign and of King James's, when arbitrary Power prevailed over Scotland, and particularly in this Western Corner; and his Lordship gave many Examples of cruel and lawless Things that had happened in that very County. His Lordship set forth the Danger that might attend electing Placemen to be our Representatives in Parliament from the List of the 45 Members, by which it appeared that the Custom of electing Placemen and Pensioners, had most exceedingly prevailed, especially of young Men that had little or no Estates. He had a List of the 45 Parliament Men from Scotland in his Hand, from which he observed, that of the 15 Persons representing the Boroughs (the trading Part of the Kingdom) 10 of them were Officers in the Army, the other 5 were Placemen, or believed to be Pensioners, that 14 out of the 15, had made the Will of the Minister the Rule of their voting in Parliament, &c.

The Duke
of Queens-
berry's and
Marquis of
Anandale's
winning
Behaviour in
Scotland.

In the Months of *August, September, and October*, his Grace the Duke of Queensberry and the Right Hon. the Marquis of Anandale, made frequent Visits to the several Boroughs in the South of Scotland, where they were very joyfully received. They honoured the Society of Free and Accepted Masons at Dumfries, by walking in Procession at their Head, when the Foundation of the Church new Steeple was laid, and gave very handsomely towards carrying it on. They likewise did many other generous Actions, and endeared themselves so much to the People of all Ranks, that it plainly appeared, they would have no small Influence in promoting the Country Interest at the then ensuing Elections. One Thing was very remarkable: At Dumfries, the Magistrates and Burghesses came to very strong and solemn Resolutions amongst themselves to oppose, detect, and punish Bribery, if it should appear amongst them. The following is an exact Copy of the Act of Council made in that Borough upon this Occasion.

At Dumfries, 23d August, 1740.

The laid Day the Deacon Conveenor and Deacons of the several Corporations having the Advice and Consent of

of the Grand Committee, and of the Community and whole Members of the Corporations, taking to their Consideration the Reports and Suspicions now going current upon Persons setting up for Deacons, and the offering, and giving or promising Compliments, Rewards, Gifts, Remunerations, and good Deeds by themselves, or Trustees interposed, or Persons for their Behoof, either at this present, or at a greater Distance, with the Prospect and View of the Election of a Member for the five Burghs, for the Parliament of Great-Britain, when the ensuing Session is determined; and being desirous to suppress such Methods, and any Report thereof, do, according to all Laws, Divine and Human, Equity and Reason, enact and declare; and be it enacted and declared by these Presents, That, after the Date hereof, no Person or Persons, Members of the several Corporations, whether Deacon, late Deacon, Box-Master, late Box-Master, Masters, late Masters, or other Members who are qualified to elect, or be elected in any Station of the Corporation, shall give, promise, offer, or accept by himself, or any interposed Persons, Relations, or others for their Behoof, or being meant for the Behoof of the Person, who may be thought capable to receive or give a Vote, either to put himself into any Station of his Corporation, or capacitate him to vote therein, or in Council of the Burgh, for any Person in, of the Council, or out of the Council, any Money, valuable Subject, as Remunerations, Reward and Compliment, for any good Deed or Promotion, to any Station or Office whatsoever, under the Pain of such Persons, who shall be found giving or receiving, promising or accepting as above, their being dismissed and removed from their Stations, and losing their Votes in the Corporations: Besides, if Deacon, or in order to promote themselves in that Station, to pay to the General Box-Master the Sum of 30*l.* Ster. Money, and this to be prosecuted before the Conveener and Deacons, or Civil Judge, at their Option, by the General Box-Master, and the Probation be by Oath, Writ, or Witnesses, if the same can be found: And these Presents are signed by the Deacons, as instructed by their Corporations, and in their Name, Place and Day aforesaid.

From

From hence we may see, that if our Noblemen and Gentlemen of Estates would all resolve to live at their Country Seats, or at least to make their Residence there for the greatest Part of the Year, and to spend that Money among their Country Neighbours, which they now throw away upon Operas, Plays, Masquerades, and other extravagant and pernicious Town Diversions, it would, from the happy Frame of our Constitution, be impossible for a wicked and unpopular Minister to gain and preserve a Majority in Parliament by Corruption; but such is the fatal Fondness of our Quality and rich Gentry for these Diversions, that our Constitution may thereby be undone, and an arbitrary Power established, though they must foresee, that they will be the first Sacrifices to that arbitrary Power; for no such Power can be firmly established, till all the old and great Families of a Country are ruined and extinguished.

Mob at
Dingwell.

September 30th, Being the Day for chusing the Magistrates of the Borough of *Dingwell*, there happened such a Mob there, that Sir *Robert Monroe* of *Foulis*, Bart, the Provost of the Town, who was Candidate for being chosen their Representative in the ensuing new Parliament, was obliged to call Men to his Assistance, armed with Firelocks, who, after the Proclamation's being read, fired upon the Mob, by which one Woman was killed, and some other Persons wounded. The Mob was occasioned by several of the Common Council Men's being taken in Execution for Debt before the Election of Magistrates came on, and carried Prisoners out of the Town. Upon one Side it was said, that they were taken upon a legal Process, and that they were taken at this Time because at all other Times they absconded and could not be taken. Upon the other Side it was said, that they were not legally taken, because the Execution had been laid or suspended, and that they were taken at this Time and carried out of Town, in order to prevent their giving their Votes against Sir *Robert Monroe*'s Friends at the Election of Magistrates for the ensuing Year. As to these Facts no Man can without a proper Proof determine; but as they might have been arrested after the Election as easily as before, the Thing looks a little suspicious; and as the chusing of Magistrates for a Borough, especially before a general Election

Election for a new Parliament, has a close Connexion with the chusing of Members of Parliament, it very well deserved a Parliamentary Enquiry; for in all such Cases the Prosecution ought to be carried on at the publick Charge and by publick Direction, that private Men may not have it in their Power to compound for Crimes which so nearly affect the Liberties and Constitution of their Country.

As the Scarcity of all Sorts of Grain was severely felt in *Scotland* as well as *England*, it occasioned some Tu-
muls there, likewise, among the Poor, the most con-
siderable of which happened at *Edinburgh* the latter End
of *October*, where the Mob assembled in great Num-
bers, and proceeded in a riotous manner to *Leith*, where
they plundered the House and Granaries of Mr. *Sawers*,
and did other Mischief at that Place; on which the Pro-
vost and Magistrates of *Edinburgh* applied to General
Clayton, for a Party of the Troops quartered in the
Canongate, to assist in quelling the Mob; but they be-
ing very numerous, and in different Parts of the Town,
where the Grain lay, Capt. *Toolikins*, who commanded
at *Leith*, could not venture to divide his Party till rein-
forced by 50 Men, before which Time they carried off
about 400 Bushels of Wheat from Mr. *John Clarkson*
Baxter, who had imported a Quantity from *England*; *however* at length they were dispersed, and 19 of them,
taken Prisoners, who were kept that Night at *Leith*, and
the next Day carried to *Edinburgh*; but a great Num-
ber of the Mob having again assembled themselves, at-
tacked the Party near the Links of *Leith*, in order to
rescue the Prisoners, and with great Insolence and Fury
threw a great many large Stones, by which several of the
Party, and one of the Justices of the Peace, who at-
tended the Commanding Officer, were very severely
bruised and wounded, whereupon the Proclamation was
twice read, but to no Purpose, for their Fury increased,
and they continued to throw Stones, even after some
Pieces had been fired into the Air to intimidate them;
at length they were obliged to fire with Shot among
them, by which three Persons were wounded, one of
whom died soon after; the Party and Prisoners marched
towards the *Canongate*, and the Mob, who retired after
the firing, followed them, but General *Clayton* having
put

A Mob at
Edinburgh.

put himself at the Head of the Party at the Foot of the *Canongate*, marched into the Town of *Edinburgh*, and was received at the *Nether-bow* Port by the Magistrates, who conducted the Prisoners to the Parliament Close without Disturbance, from whence they were sent to the Castle of *Edinburgh*.

The Magistrates and Town Council met soon after, to consider of the proper Ways of supplying the Poor of the Place with Meal at easy Rates, and purchased a Ship's Loading of Pease, Beans and Oats, to the Extent of 800 Bolls, which they ordered forthwith to be unloaded and sent to the Mills to grind; and likewise gave Orders for Commissions to be sent to different Places, to buy up Oats at the cheapest Rate, which they sold out at the Price it cost themselves, and they likewise talked to several Farmers in the Neighbourhood, who agreed to send in what Corns they could conveniently thresh out, to be sent to the Mills to be grinded for the Supply of the Market.

A remarkable Storm of Thunder and Lightning.

November 28th. There happened a most extraordinary Phenomenon of Thunder and Lightning at *Irvine* in the West of *Scotland*, an Account of which we had from that Place, dated *December 1st 1740* as follows: ‘*Pri-*

‘*day last at Noon, we had here a heavy Rain, which ended in a Fall of large Hail, so that every Body betook themselves to Shelter. This was followed by a sudden and most dreadful Flash of Fire and Crack of Thunder, such as neither we nor our Forefathers have seen or heard of: The Lightning gave no Warning but accompanied the Thunder, did not continue rolling as usually, was short and quick, but the Noise greater and more frightful than if all the Ordnance on Earth had been at one Instant discharged. The Whole seemed to break upon our Tolbooth and Steeple, drove in much of the Roof on two Sides, so as Waggons may pass through; the Steeple is much shattered, and the Crevices large. The Town-Clock was broke to Pieces, the Work either calcined or melted. The strong Door of the Prison was burst up (notwithstanding it’s large Iron Bars) wherein were five Prisoners. John Muir, a Lad of 14, was killed as he stood at a Window, and every Stitch of his Clothes consumed; his Brother Robert, aged 12, knocked down*

down near him, so that his Life is despaired of; another Brother of theirs struck blind, their Aunt had all her Clothes burnt to Ashes on one Side, and even her Skin flayed off, worse than could have been done by any Blistering Plaster; she still lives, but in a dismal State; her other Side seemed untouched. 'Tis observable that not one Bone of any of them was broke, though every Hair was singed; and that the sulphurious Stench about them was intolerable. *Archibald Bar*, who sells Fruit in a Stall below the Town-House, was knocked down and much hurt. *John Howie*, Sailor, was knocked off his Feet, and so much hurt that his Life is in danger, while one *Gib*, another Sailor that stood by him, remained untouched. *John Galt*, Mason, with his Son, were levelled at once and hurt. *John Cotton* was thrown on his Face in his Shop. A poor Girl was struck blind and senseless, in a Lane. Mr. *Innes* and Mr. *Boyd*, with many others, were laid flat on the Ground. Two Sailors coming from the Key say, that a large Pillar of Fire met them in the Face, which brought them on their Knees. Mr. *Cunningham* says, it appeared to him as a most voluminous Pillar of Fire, proceeding quick as from the Mouth of Cannon; and that he thought, from the uncommon Smoke over the Tolbooth, the same had been all on Fire; he was tumbled down and his Foot is much hurt. The People had scarce recovered their Senses, when two other Cracks of Thunder gave fresh Grounds of Terror, so that it was apprehended the general Judgment approached, and every one prostrated themselves in Humility, imploring Mercy from on high; but these last, though most terrible and uncommon, were nothing to the first. 'Tis thought if it had struck on the Side as it did on the Angle of the Fabrick, the Whole must have come down. Great hewn Stones were carried violently out of the Steeple to Baillie *Nisbet's* House, where they left Impressions. The Manner in which the Slates were carried off from several Houses is surprising. We have all Reason to be grateful for the Goodness of God, that this Scourge has done no other Damage as we have yet heard of, and particularly that the Showers of Rain and Hail had obliged People to take

take to their Houses, whereas otherwise many more Lives must have been lost.

A melan-
choly Acci-
dent at
Kirkaldy.

The Beginning of this Year, we had the following most extraordinary and melancholy Account from Edinburgh, dated January 8th, 1739-40. ' Yesterday one of the most melancholy Accidents happened near Kirkaldy, that perhaps has ever been heard of in this Country, and which has turned the Mirth and good Humour that generally prevails at this Season, into an universal Sorrow in that Place. ' Tis well known that the first Monday of the Year is always observed with uncommon Gaiety and Mirth, and in Consequence becomes a Holy-day to Apprentices and Servants, fourteen of which, belonging to *Patb-head*, a little Village adjacent to *Kirkaldy*, having got a little Money, went to divert themselves with a common Amusement among Boys, by throwing up *Thistles or Crowns*: The Place they chose was what we call a Cave, or a large Hollow below a rocky Eminence; as they were thus innocently amusing themselves, the Rock tumbled down and crushed them to Pieces.—Tis scarce possible to form an Idea of the ghastly Sight which their mangled Bodies exhibited.—Parents could not distinguish the Corpses of their own Children.—The Parts of some who were close together when the Rock fell are so mixed, that there is no Distinction, and the Carnage is the most dismal that can be imagined.—The Bodies of only Eleven are yet digged up.—One escaped by his being at a greater Distance from the Rock, but his Leg is broke in a vast Number of Places.—This fatal Catastrophe causes an extraordinary Grief, especially as some Parents have lost two, others all their Children.'

A Soldier
killed by a
Sheep.

A merry Gentleman sent us the following Tragi-comical Story and just Remark upon it, from Edinburgh dated September 22d, 1740. ' On Thursday last a Soldier belonging to the Regiment now in the *Cannongate*, went to the King's Park on a Sheep-stealing Expedition, where he unluckily happened to engage with a large head-strong Ram, near one of the Precipices at *Arthur's Seat*, which pushed him headlong from the

the Top of the Rock, so that they both fell down together, and had their Necks broken. The unhappy Fellow was found next Morning with a Handful of the Ram's Wooll clenched in his Fist.—People observe, that Sheep have been the Occasion of all the Bloodshed this Campaign amongst his Majesty's Forces, two Soldiers having fallen in the same Cause at *Haworth-Heath*.

The following Account being well attested, and the Discovery so necessary to be taken Notice of by all seafaring Men, that I think it incumbent upon me to give it a Place in these Annals; for if it is not already, I am sure it ought to be taken Notice of by our Government, that a full and exact Discovery may be made, and the Place particularly described in all the future Sea Charts of our Coasts. The Account we had was as follows.

A dangerous Rock discovered.

July 16, 1740. This Day, in our Passage from *Virginia*, on Board the Friendship of *Air*, John Atkin Master, James Lockhart Mate, coming in at the N. W. Channel of *Ireland*, at seven o'Clock at Night, going under reefed Fore-sail, Wind at N. N.W. steering at that Time E. by S. saw by the Weather Leitch of our Fore-sail, a Rock under Water about four Foot, distant from us 40 or 50 Yards, to the best of our Judgment, our Ship at the Time running six Knots by the Log, with a heavy Swell from the N. W. all Hands being on Deck saw it plainly. Next Morning made the Land, betwixt *Ensterbull* and *Tory-Island* about eight o'Clock, and at 12 made the Mouth of *Derry-Loch*, bearing S.W. by S. distant 10 Leagues, and likewise *Illo* bearing E. by S. distant six Leagues; and by making these Lands next Morning, found the Rock lay in the Latitude of 55 D. 18 M. N. and Longitude from the Meridian of *London* 11 14 W. It lies from the Island of *Tory-Way*, distant 94 Miles, without Allowance of Variation. Island of *Tory* is wrong laid down in the Books, instead of 55 D. 8 M. N. Latitude, it should be laid 55 D. 20 M. N. At the Time we discovered the said Rock it was an Hour Ebb.

I.

To

To this it was added, that the Rock was in the Form of a Sugar Loaf and very narrow at Top, so that if a Ship under sail should strike against it, there would be no Possibility of saving the Ship or any one Soul on Board; and as the Rock is at such a Distance from the main Land, without any Islands or visible Rocks near it, to give Warning to the Ships that approach it, we may justly say, it is a Trap, and a most dangerous one too, for Ships sailing in those Seas.

C H A P. VI.

An Account of the most remarkable Occurrences in IRELAND.

Proceedings
in the Par-
liament of
Ireland.

IN my *Annals* for last Year, I gave an Account of the Meeting of the Parliament in *Ireland*, and the Addresses of the two Houses upon that Occasion, I shall now give an Account of what happened most remarkable in that Session. The most important Affair that happened in this whole Session was that relating to the Exportation of Wooll, and as we had a full Account of the Debate upon this Subject in two Letters from *Dublin*, they deserve a Place in these *Annals*. They were as follows, *viz.*

Dublin February 9th, 1739-40.

THE House (meaning the House of Commons) met on the 28th of January, which was the Day appointed to take the Woollen Affair under Consideration, but adjourned to that Day Se'nnight on Account of the Severity of the Weather, and then adjourned again till the 8th of February, when a Motion was made, *that a Permit, under proper Regulations, would be conducive to prevent the clandestine Exportation of the Wooll.* The Debate was managed principally by the Prime Serjeant, the Attorney General, and Solicitor General, in Favour of the Motion;

tion: The opposite Party all joined earnestly in expressing their Abhorrence of this Practice, so injurious to both Nations; but urged, from a Computation which had been made with great Accuracy, and was acquiesced to by all Parties, that the Evil was much less than passionate, ignorant, and interested People had represented, particularly on the other Side of the Water. This Computation was, that 1,000,000 Stones of Wooll were grown in *Ireland*, [a Stone of Wooll in *Ireland* is 16 lb. or thereabouts] which amounted to one third of the Rents of the Kingdom; of which 700,000 were consumed at Home, 150,000 exported into *England* in Wooll and Yarn, 50,000 exported in Manufacture to foreign Parts, and 100,000 in Raw Wooll: That whatever some might think of the Damage done to the Woollen Manufacture of *England* by the 50,000 Stone of manufactured Wooll exported from *Ireland*, it was far from being a Loss to that Nation; since that Branch of Trade, which was carried on only to *Lisbon*, would be carried on by the French if *Ireland* was deprived of it, the English not being able to work those Stuffs by 16 per Cent. so cheap as either *France* or *Ireland*; and that this appeared evidently from what had lately happened in *Ireland* upon the Reduction of the Coin, which having raised the Price of the *Irish* Woollen Goods near 3 per Cent. the French had already deprived us of one half of that Trade, and yet the English had not sold one Bale of Goods the more.

That the real Loss of *England* and *Ireland* therefore, in this Particular of *Ireland*, was singly to be computed from the 100,000 Stone of Raw Wooll clandestinely exported; which, at 7 s. per Stone, the greatest Price it could be computed at, amounted but to 35,000 l. which, though when manufactured abroad, with the Addition of foreign Wooll, was undoubtedly a great Loss to both Nations, could by no Means be reckoned the Cause of the Decay of the English Manufacture. That therefore other Causes must be sought, which must either be the immense Quantities exported clandestinely from *England*, of which we could not pretend to form any Estimate, or

the high Rents of Land and other Inconveniences
which affected the Commerce of that Country.
They then inveighed bitterly at the Passion which
had ever been shewn against this Country in *England*,
where the Majority sought our Ruin, from Prejudices
that possibly had some Foundation when *Ireland* was
in Popish Hands and in an opposite Interest; but
cruel when there was no Difference in our Interests
Civil or Religious, and when the whole Nation was
in the Hands of the Offspring of their own Families.
They said that this Passion had, in every Instance,
hindered the *English* from seeing their true Advantage,
which certainly was to consider Us as the *same People*,
and in a general Consideration to make Use of Us in
Trade as Merchants made Use in private Commerce of
the poorest and cheapest Manufacturers. That we had
now, for near one whole Century, suffered the heaviest
Restraints upon every Branch of our Trade; insomuch
that it was well known, that no Man could see one
third of that Profit from his Fortune which he might
do if our Government was upon an equal Footing.
That if these Sufferings were calculated truly to main-
tain the Interest and Prosperity of *England*, we were
so much concerned in it's Welfare, and so sensible of
the Right of all Nations who have the Power to en-
force their own Advantage before that of others, that
we could endure it all without Resentment; but that
it was a Severity of the most galling Nature to be thus
sacrificed to false Maxims, and the Pursuit of Schemes
grounded upon nothing but on the Prejudices and Ig-
norance of the State of this Country, and so destruc-
tive to the Whole, that *England*, as well as *Ireland*,
would inevitably be ruined by it.
That this being the Case, it would be absurd in us to
saddle ourselves with new Officers and new Powers,
which were always abused in a scandalous Manner in
this Country, from the Weakness of our Govern-
ment, and the Authority of those who are set over us
without any Knowledge of our Interests or Constitu-
tion, and commonly without any Qualifications but
that of making hasty Fortunes out of the Publick, and
who could, and always did, screen themselves from
any Complaints by their Interest on your Side of the
Water.

Water. That the Thing proposed had innumerable Inconveniencies in it in any Shape; that it subjected Men to many of the Inconveniencies of an *Excise*, which their Neighbour Country had with great Reason lately opposed, though you were much more able to prevent the Abuses of those employed in it than we are; that it would create a slavish Dependance upon little People, which would induce all Men to court them, to prevent the Effects of their malicious Informations, or to connive at their Mal-Practices, which would inevitably be continued by the Corruption of those employed to prevent them. That it would be surprising if the People of *England* themselves should wish a Regulation which would only encrease the Influence of Places and Employments, which operated upon the Mother Country wherever they were established; nor could they imagine that *England* could think it reasonable for us to bring a State of Slavery upon ourselves, without a Prospect of preventing any Evil: But that if it was our Fate to be destroyed, it was a less Crime for a Nation to receive it's Ruin from a Violence imposed upon it, than to be *Felons* of it's own Constitution and to destroy itself; and that they were certain the Means of that Violence, if it ever should be exercised on us, either by civil or military Means, would retort with a dangerous Force upon the Promoters of it.

They then earnestly entreated those who urged the Motion to withdraw it, and to concur in a Representation to the Government of the true State of the Wooll and Woollen Manufactury; and to give the most sincere and solemn Assurances that every Man, both in a publick and private Capacity was truly sensible of the Evil, and fully resolved in every Way that was possible to prevent it; but at the same Time, to shew that no Method but *Indulgence* could effect it; to desire if possible that Means might be used to try the Effect of the late A^tC for the Importation of *Irish* Yarn to *England*, for one Year or two before it should be repealed, because they were confident it would have a considerable Effect; and finally, to insist in the strongest Manner upon a Permission to manufacture, in such Goods as might be thought proper, that Quantity of

‘ 100,000 Stones of *Irish Wooll* which, as they had seen, was the Quantity clandestinely exported; and that the Permission of this Quantity would so effectually engross all that Wooll which created the Complaint against this Country, that there would not remain afterwards the Possibility of any material Injury to be done by us to the Woollen Trade of *England*: And that thus, by an Indulgence only of 150,000*l.* per *Annum* in this Commerce, which that Quantity of Wooll worked up might amount to, the *French* and other foreign Nations would be deprived of twice as much, it being well known that they added at the Rate of two Pounds of their own Wooll to any Quantity they could obtain from *Ireland*; by which Means there would be an immediate and demonstrable Gain to *England* of 300,000*l.* worth of Woollen Manufacture, besides that 150,000*l.* allowed to *Ireland*, the Profit of which would likewise center in *England*.

‘ The Debate was carried on with the greatest Decency, and the most sincere Disposition to the general Advantage that ever I observed in this Parliament; and it was at length agreed by all Parties, after we had sat six Hours, at seven in the Evening, to adjourn till Monday, to give Men more Time to consider maturely of this important Affair; which was the more necessary, because those that made the Motion were either not well prepared to open all the Consequences, or thought Matters not ripe enough to discover the Whole of their intended Scheme.

‘ I am very sensible that some wise Politicians on your Side will think that the Opposition to this Motion proceeded from our Insincerity to do any Thing to prevent the clandestine Exportation of our Wooll; but I can solemnly answer for myself, and so I may venture to do for the whole House, that there is nothing so earnestly desired here as to prevent this Evil, by any safe and reasonable Means: for we are all sensible that it is, if possible, more ruinous to us than to *England*, for we never receive one Shilling in return for the Wooll thus exported; we are repaid in *French Brandies* and *Aigre Wine*, which is run in upon our Coasts without Duty, and hurts the Revenue to that Degree that we are under the greatest Diffi-
culty

‘culty to maintain the present Establishment, which yet we cannot do without running considerably into Debt. But there is yet a greater Evil in it, which is the private Correspondence carried on between the French and the Papists in our remote Countries, which may extremely hazard, in an unfortunate Conjunction, the Security of the Protestant Interest in this Kingdom; an Interest which you know how much it is our peculiar Business to support, as all our Fortunes depend upon it.

‘I shall add nothing more at present upon this Head, but will certainly acquaint you with the farther Progress of this Affair.’

‘ Dublin Feb. 14th, 1739-40.

‘ I Promised in my last to acquaint you with the farther Proceedings of our Parliament, in Relation to the Wooll, which I thought would have entertained you some Time longer; but this Affair has taken a short and unexpected Turn, and is dropped, as I believe, for this Session.

‘ I told you before, that the Question proposed on Friday last was, *that a Permit, under proper Regulations, would be conducive to prevent the clandestine Exportation of our Wooll;* which having been debated for some Hours, the House adjourned till Monday, when they met again. It was then moved that the *Regulations* hinted at in the former Motion should be explained, and made Part of that Question; which the Promoters of it vehemently opposed, pretending the Question was clear enough in its first State, and that it was as free from Objection as any Question could be, since if the *Regulations* afterwards to follow were not adjusted properly, they might be rejected though the first Question was agreed to: But the opposite Party insisted upon it, that they could not possibly agree to the first Motion, if separated from its intended Consequences; not only as it did not yet appear to them whether a *Permit* could be conducive to remedy the Evil, or whether it could be a prudent Measure in any Shape, but also as it was very suspicious, from the Difficulty made to discover what their intended *Regulations* were, that they would prove of a very dangerous

rous Nature. That it was very easy to see the View of those who pressed this Question in the general Way it was proposed; that no Man who had sat any Time in Parliament was ignorant of the Influence which the Success of the first Question always had upon the Resolutions that were to follow; and that a Majority obtained upon the first, would inevitably deaden and render ineffectual all Opposition to the rest, however injurious they might afterwards appear. That this unfair Proceeding was highly prejudicial to the Interest of both Kingdoms, since it drove Men into a Necessity of differing in Opinion upon a Matter in which all were zealous and united as to the *main Point*; and that if the other Gentlemen should insist upon this unreasonable Measure, they would hazard the Success of this Affair, and must be answerable for all the Evils that might follow from it. The Reserve and Obstinacy of those who proposed the Question were so remarkable that they greatly alarmed the whole House, and raised so great a Flame that they were at last obliged to yield without a Division; and thus the Matter being determined, as it was thought and understood, the next Day was appointed to take the same Affair again under Consideration, upon the Foot of the complicated Question, in which the whole of the Scheme was to be comprehended.

The next Day the House met again, and having resolved itself into a Grand Committee, we were all in great Expectation that some reasonable Plan would be proposed, upon which we might ground a Bill that might at least contribute something to redress this Grievance so justly complained of; when to our great Surprise the Attorney General, with a Warmth which gave some Offence to the House, reflected upon the Opposition given to the Proposal formerly mentioned, and then insinuating that there was a formed Resolution that nothing should be done, and consequently that it would be needless to consider the Matter any farther, moved that the Chairman should leave the Chair. The whole House was much incensed at this Step, which they said seemed wholly calculated to bring a Censure upon them which they had never merited: That it was true they did oppose, and everlastingly would

would oppose all such Proposals, to remedy this or any other Evil, as would be insufficient to that End or productive of greater Mischief: That it was a cruel Cause, and what they had long endured, that the Redress of no Grievance was ever proposed in a practicable Way, or without some abominable Condition annexed to it, tending to invalidate our Liberties and Privileges, and to create a slavish Dependance upon Officers and Men in Power: That they were ready to a Man, and solemnly resolved to consider any Proposal that was just, secure, and effectual to prevent the clandestine Exportation of their Wooll; and that if, after this Declaration, no other Proposal was offered but that already made, it was an absolute Confession either that there was not any Possibility, by any Means in their Power, to effect it, or that there was a pre-meditated Design to destroy the little Freedom we enjoyed: That for the Consequences which were very indecently insinuated in that Place, they could only say that they were unhappily subject to suffer too much from the Passions and Prejudices of ignorant Men; but that if this was their Fate, they must endure it as well as they could, and that it was no Argument why they should, with their Eyes open, bring a certain Ruin upon themselves and their Posterity: That they hoped and believed that all considerate Men would approve their Conduct, and that the Blame might fall upon the Heads of those who were truly guilty: That the Crime of those who had brought this Matter to such an Issue, was such as ought to be resented on another Side, where it had formerly been the Wisdom of the Legislature ever to impeach such Men as had endeavoured wantonly to discontent the People of this Kingdom: That this Measure tended violently to that End; for if the Conduct occasioned by it should create there so much Uneasiness as to produce any Compulsion or Force upon them, it would necessarily create in this Country the greatest Discontent when they suffered Severities, for which there was no Cause but the imprudent Conduct of those who had the Direction of their Affairs: That such Measures were the more to be abhorred at this Time, when it was known how many Endeavours were used to debauch the Minds of

the People, and to prepare them for some Attempts in Favour of the Enemies of the united Kingdoms: That the Protestant Interest, cordially united, was sufficient to resist all such infamous Attempts, which the Papists could never effect, having no one Leader to conduct them; but that their Numbers were excessively great, exceeding 1,500,000, and of a Species of Men who were the most dangerous, being all in extreme Poverty, of so low Circumstances that the private Condition of a Soldier would be the highest Preferment to them: That if it should ever be the Misfortune, that but a few Protestants of Figure should be either so urged by their Resentments, so depraved in their Natures, or corrupted in their Principles, as to desert that Cause which the Majority would be ever ready to sacrifice their Lives and Fortunes for, the Consequences might be most sudden and terrible, and more formidable than any Convulsion that had ever happened in this State before: That as this was said from the utmost Zeal and Attachment to the *English Government*, they would venture to speak it, though they knew the malicious Interpretation that some might put upon it; and that they should be Traitors to their King and Country if they should be induced, from any Consideration, to conceal a Truth of this important Nature. Much more to this Effect was added; and lastly it was urged and prayed, in the most earnest Manner, that this Motion should be withdrawn, and that some other Method should be offered, or, at least, that some Address might be prepared upon this Subject, to lay open the Causes of their having done nothing in this Affair, and to represent the true State of the *Woollen Manufacture*, and to express what they judged the most effectual Means to remedy this Grievance in the most advantageous Way to both Kingdoms.

But the other Side insisting upon their Motion, and refusing to concur in any other Proceeding, the Question was put, and the Chairman left the Chair without asking Leave to sit again; so that the Matter seems to be wholly ended for this Time.

I shall trouble you with no Reflections upon this Affair; I doubt not but you will judge, as we all do,

that

that we have been *hardly used* in it; and you will rather lament our Condition than blame our Conduct, which I can aver was most sincere and irreproachable, at least in this Instance?

March 10th, His Grace the Lord Lieutenant sent the following Message to the House of Commons.

' The present Situation of Affairs makes it proper for me to recommend it to you, to take such Measures as you shall judge may be most effectual for the Security and Defence of this Kingdom.'

Which Message being taken into Consideration in a Committee of the whole House, they came to the following Resolutions, which were reported on the 15th as follows, *viz.*

' *Resolved,*

' That it is the Opinion of this Committee, that a humble Address be presented to his Grace the Lord Lieutenant, to thank his Grace for his Message to this House, and the Concern he has expressed for the Safety of this Kingdom.

' That it is the Opinion of this Committee, that the providing of 20000 Firelocks and Bayonets for the Militia, will greatly tend to preserve the Peace and Security of this Kingdom.

' That it is the Opinion of this Committee, that a humble Address be presented to his Grace the Lord Lieutenant, that he will be pleased to provide 20000 Firelocks and Bayonets for the Militia of this Kingdom, and that a Sum not exceeding 35262*l.* 10*s.* may be expended for the same, which Sum with an Interest of 4*l. per Cent. per Annum*, from the Time of advancing the said principal Sum, shall be made good by the House, out of such Aids as shall be granted to his Majesty the next Session of Parliament.

' That it is the Opinion of this Committee, that a humble Address be presented to his Grace the Lord Lieutenant, that 5000 of the said 20000 Firelocks and Bayonets may be contracted for, to be made in this Kingdom.

' The first and second Resolutions, being read a second Time, were agreed unto by the House.

' The

‘ The third Resolution, being read a second Time,
‘ and a Motion being made for leaving out the Words
‘ (That an humble Address be presented to his Grace
‘ the Lord Lieutenant, that he will be pleased to pro-
‘ vide 20000 Firelocks and Bayonets for the Militia of
‘ this Kingdom, and,) and the Question being put,
‘ that the said Words do stand Part of the said Reso-
‘ lution.

‘ It was carried in the Affirmative.

‘ Then the Question being put, that the House do
‘ agree with the Committee in the said Resolution.

‘ It was carried in the Affirmative.

‘ Then the last Resolution being read a second Time,
‘ was agreed to by the House.

‘ Ordered, That the said Addresses and Resolutions
‘ be laid before his Grace the Lord Lieutenant by such
‘ Members of this House as are of his Majesty’s most
‘ honourable Privy Council.’

March 17th, The Master of the Rolls reported from
the Committee appointed to attend his Grace the Lord
Lieutenant with the Address and Resolution of this
House of Saturday last, in relation to the providing
Firelocks and Bayonets for the Militia of this King-
dom; that they had attended his Grace accordingly,
and that his Grace was pleased to return the Answer
following.

‘ I Thank the House of Commons for their Address,
‘ and will give Directions for providing twenty
‘ thousand Firelocks and Bayonets for the Militia of
‘ this Kingdom with all Expedition, and that five thou-
‘ sand of them be contracted for here, and the Com-
‘ mons may be assured that on this and all Occasions,
‘ I shall do every thing in my Power to preserve the
‘ Peace and Tranquillity of this Kingdom.’

On the 14th, his Grace sent the following Message to
the House of Lords;

‘ I Think it incumbent upon me to put your Lord-
‘ ships in Mind of the present Situation of Affairs;
‘ not doubting but that both in your publick and pri-
‘ vate

'vate Capacities you will do what in you lies to secure
'the Peace and Tranquillity of this Kingdom.'

Upon which they immediately came to the following
Resolutions and Address.

' Resolved by the Lords Spiritual and Temporal in
' Parliament assembled, *Nem. Con.* That the provid-
' ing of Arms and Ammunition for the Use of the Mi-
' litia, is absolutely necessary for the Security of this
' Kingdom.

' Resolved by the Lords Spiritual and Temporal in
' Parliament assembled, *Nem. Con.* That the most speedy
' and effectual Care be taken to disarm all Papists.

' Resolved by the Lords Spiritual and Temporal in
' Parliament assembled, *Nem. Con.* That these Reso-
' lutions be laid before his Grace the Lord Lieutenant,
' as the unanimous Opinion and Advice of the Lord's,
' upon Consideration of the present Situation of Affairs.

En' Sterne, Cler. Parliamentor'.

*To his Grace William Duke of Devonshire, Lord Lieu-
tenant General and General Governor of Ireland.*

The humble Address of the Lord's Spiritual and Tem-
poral in Parliament assembled.

May it please your Grace,

' W E the Lords Spiritual and Temporal in Parlia-
ment assembled humbly beg Leave to return
' your Grace our most sincere Thanks for your Message
' to this House, in which you have with so much
' Goodness put the Lords in Mind of providing for the
' Safety, Peace, and Tranquillity of this Kingdom.

' We cannot on this Occasion omit repeating to your
' Grace, the Assurances which we have constantly
' given, that we will at all times, both in our publick
' and private Stations, heartily and zealously, with our
' Lives and Fortunes, defend and support the present
' Government, happily established in his Majesty and
' his Royal House, against all Enemies, secret or open,
' foreign or domestick.'

En' Sterne, Cler. Parliamentor'.

The

The Lord Lieutenant's Answer.

' **T**HE Address of the House of Lord expresses
 such Zeal and Readiness to support his Majesty
 and his Royal House, as must give great Satisfaction
 to all his Majesty's good Subjects, and cannot fail to
 discourage the Designs of his Enemies; and the Lords
 may be assured, that I shall always have a very great
 Regard for their Opinion and Advice.'

*March 26th, both Houses of Parliament waited on
 his Grace with the following Congratulatory Address.*

To the King's most excellent Majesty,

*The humble Address of the Lords Spiritual and Tem-
 poral, and Commons, in Parliament assembled.*

Most gracious Sovereign,

' **W**E your Majesty's most dutiful and loyal Sub-
 jects the Lords Spiritual and Temporal, and
 Commons, in Parliament assembled, humbly beg
 Leave to congratulate your Majesty on the glorious
 Success of your Majesty's Arms under the Command
 of Vice-Admiral Vernon at *Porto Bello*.

' We are highly sensible, that next under God, we
 owe this Success to your Majesty's wise and steady
 Conduct; and we cannot doubt, but that by the Con-
 tinuance of his Blessings on your Majesty's Councils
 and Arms, you will secure for ever those just Rights,
 which belong to your Majesty's Subjects, and for
 which you have shewn such a princely Concern.'

*The 28th, the House of Lords waited on his Grace
 with an Address, on the Business of the Session being
 near at an End, and to thank him for his prudent and
 just Administration.*

*Next Day the House of Commons waited on him
 with an Address to the same Effect.*

*And on Monday the last Day of March his Grace
 went to the House of Peers, and after giving the Royal
 Assent to such Bills as were ready, made a most graci-*

ous

ous Speech from the Throne, after which the Parliament was prorogued to the 12th of *May* then next. But as these Addresses and Speech contain nothing very remarkable, and would take up more Room than I have to spare, I shall not insert them here.

Some large Contracts for Provisions having been made by the *French* at *Cork*, and several of their Ships arrived there in *October* last to carry it away, they were prevented by an Embargo being laid upon the Exportation of any Provisions from *Ireland*, which occasioned great Grumbling amongst them; and some of them having got their Loadings on board, threatened to sail, notwithstanding the Embargo, but the Mayor of *Cork* sent an Express to Lord *Montague Bertie*, who was then Commander of a 20 Gun-Ship lying off of *Kinsale*, whereupon his Lordship came before the Harbour of *Cork*, and prevented the *French* Ships from executing their Design, by threatening to sink them, if they attempted to sail without Leave.

Embargo on
Provisions.

The useful Undertaking of setting up Protestant Charity-Schools in *Ireland*, not for making idle Scholars but industrious Tradesmen of the Poor, is still carried on with a laudable Vigour by the Rich of that Kingdom. The School at *Ballinrobe* in the County of *Mayo*, which was founded by the Encouragement of *Michael Cuffe*, Esq; who endowed it with one Acre of Land in Perpetuity, and 27 Acres more, well inclosed and improved, let at half Value, besides contributing 50*l.* towards the Building, was this Year compleatly finished, and 20 poor Children taken in; and as the School will contain 12 more, and the poor Roman Catholicks in the Neighbourhood are very solicitous to get their Children into it, the Managers are every Day in expectation of being enabled to receive the additional Number into their School.

Progress of
the Charity
Schools.

The Lord Mayor and Common Council of *Dublin* having, in the preceding Year, granted a generous Benefaction to the incorporated Society for setting up and maintaining such Schools, in order to encourage the establishing a Charter School near that City, the Society have at last been accommodated with a convenient Piece of Ground, by the Favour of the Right Honourable *Luke Gardiner*, Esq;—The Situation is desirable, nor

above

above three Miles from the City, near the Avenue of *Santry House*; it is a Place conspicuous, frequented by Travellers, and having a good Road to it, may be easily visited from *Dublin*, and the Country round it. The Land is fit for the Produce of Flax, &c. and being well water'd, is every way proper for carrying on the Linen Manufacture, in which the Children are to be chiefly employed. The Foundation is to consist of 40 Boys, to be bred up in the Arts of Flax-dressing, a Trade of great Use, and capable of Improvement in that Country.

As this is a Design which every good Protestant Subject must approve of, I think myself obliged to give a Place in my *Annals* to the following Letter in it's favour with the Extract annexed.

' The great Progress made by the Incorporated Society for promoting *English* Protestant Working-Schools in *Ireland*, in the noble Design of their Institution, is a thing highly deserving of the Regard of every true *Englishman* and Protestant, and must redound to the Praise of that Body, and of the generous Benefactors who have supported them in the Works, as well as to the publick Benefit. They have, within the short time that they have subsisted as a Corporation, and under a great many Disadvantages, open'd sixteen Schools for the Instruction, Maintenance, and Employment of Popish Children; into some of which have been actually admitted forty, into none of them less than twenty Children of both Sexes. Several generous Proposals and Offers have been made by the Nobility, Gentry Clergy, and other well-disposed Persons of that Kingdom, for the erecting more Charter-Schools, with all which the Society will most chearfully comply whenever their Fund will admit of it: The most advantageous of these they are upon the Point of carrying into Execution, particularly the School at *New Ross* in the County of *Wexford*, mentioned in the subsequent Letter, which stands as a fair Example to excite the Emulation of other Counties. Upon the whole, the Reader may judge what an important Accession is already made to the Strength of *Ireland*, and consequently of these Kingdoms, by the Encrease of Protestant Subjects form'd in the Charter-Schools

ter-Schools, and how much more extensive the Influence of them would be, did the Contributions of the Friends to our Religion and Government keep pace with the Zeal and Industry of the Society, and if the Labourers were but equal to the Harvest: For it is certainly true, however strange it may seem to some Persons on this side the Water, that the Superstition and Bigotry of the Popish Parents in *Ireland*, are so far overcome by the good Usage their Children meet with in the Schools of the Society, and by seeing them so well employed and provided for, that they apply in such Numbers to have them admitted, that Schools cannot be erected fast enough for their Reception. Effectual Precautions are at the same time taken to secure the Children, who are resign'd to the Instruction and Maintenance of the Incorporated Society, that they may not, by any Influence of their Parents or Priests, be brought back to their old Religion, or relapse to their native Sloth and Uselessness. We may observe, that in one single School under-mentioned, forty Popish Children will be instructed in our Language, and reconciled to our Religion and Government, who would otherwise be bred in utter Ignorance of the first, and in an hereditary Aversion to all the three, and would of Consequence be more determined and inveterate Enemies to our Constitution, than if they were foreign Papists. Every Popish Child thus educated a Protestant is a double Advantage to us, as it is gain'd from our Adversaries, and diminishes the Number of Roman Catholicks in *Ireland*, which is the great Nursery for recruiting the Armies of such Popish Princes as are the most formidable to *England*, from whence particularly the Power now at War with us derives the Flower of her Troops. As therefore every one who is the least acquainted with the State of *Ireland* will be convinced, that these Protestant Working-Schools are the only possible Method, humanly speaking, to reclaim the Papists of *Ireland* from that savage Religion, which renders them generally a Burthen, and frequently a Terror to the Protestant Inhabitants of that Country, a bare Representation of the Case will be sufficient to prevail with the Friends to our Church and State to second the Endeavours,

‘ Endeavours, and strengthen the Hands of the Society,
 ‘ The Nobility and Gentry who have great Property
 ‘ in *Ireland*, will be the last Men who want to be in-
 ‘ cited to encourage this great and good Work, be-
 ‘ cause they will be the first who will receive the Bene-
 ‘ fit of it.

‘ Extract of a Letter from New Ross, in the County of
 ‘ Wexford, in *Ireland*, dated August 2, 1740.

‘ S. I. R.,
 ‘ I Can now send you the pleasing Account, that the
 Charter Working-School of this Place, for the
 Education of forty poor *Popish Children* in the *Pro-*
testant Religion, and setting them to work at the same
 time, has been carried on with such Spirit this Sum-
 mer, that the Slators are at Work on the Roof, which
 will be covered in a few Days. The whole Fabrick
 will be finished early in the Spring, and rendered quite
 fit to receive the Children, and at the small Expence
 of less than two hundred Pounds.

‘ This Notice cannot but be agreeable to the wor-
 thy Persons of *England* who have been kind and par-
 ticular Benefactors to this good Design, to which the
 neighbouring Gentlemen in and near *Ross* have not
 a little contributed, by a seasonable annual Subscrip-
 tion of about sixty Pounds, for the better Support of
 this useful Endowment.

‘ This opens a fair Way to other Counties in this
 Kingdom to fall into the same Method, since so much
 lasting Good can be done at so little Expence.

‘ I am, Sir, Yours, &c.

Duke of
Norfolk en-
 courages the
 Linnen Ma-
 nufac-ture.

As the Encouragement of the Linnen Manufacture is
 of great Consequence to these Kingdoms, I cannot omit
 the following Account which we had from *Ireland* in
 October last. There are now making for his Grace
 the Duke of *Norfolk*, first Peer of *England*, three sets
 of Damask Table Linnen, at *Dundalk*, *Carlow*, and
Drogheda, which will cost 500 Guineas. There are
 to be six Table Cloths, three Dozen of Napkins,
 and three Dozen of Tea Towels in a set. In the
 Middle

Middle of each Cloth and Napkin is to be his Grace's Arms, and his Crest at each Corner.—It is to be hoped this noble and worthy Example of his Grace will be followed by the Nobility and Gentry of England, as well as of Ireland, which will keep great Sums of Money in these Kingdoms.

Mob at Dublin.

The Scarcity which was this Year so severely felt all over Britain, and occasioned so many Mobs, was likewise felt in Ireland, and had in some Places there the same Effect, particularly at Dublin where, on the last Day of May, the Populace rose in great Numbers, went to the Houses of the several Bakers and Meal-men, broke open their Shops, and where they found any Bread or Meal they sold it at a low Price to the Poor: Next Day a great Number of them went on board a Ship in the River, and took out some Beef, which they were selling at a low Price; but the Right Honourable the Lord-Mayor, attended by a Company of Soldiers, went down, and took some of them Prisoners, and committed them to Newgate; they continued the Day following to commit great Outrages, and brought the Meal from several Mills about the City, and sold it. Great Damage was done on this Occasion, some Persons were killed, and several wounded, but by the great Care and Diligence of the Right Honourable the Lord-Mayor and Sheriffs, who were very active, and attended by the Army, it was happily quelled. At Night a Serjeant and 12 Men were quartered at each Watch-house, a Company was posted at the Market-House, and another at the Tholsel, and a Party of Dragoons patroled all Night to preserve the Peace of the City.

In May last we had the following agreeable Account from Killybeggs in Ireland: 'On the first Instant, Mr. Richard Chapman, Brother to Lieutenant Samuel Chapman, deceased, killed in this Bay the finest Whale that has been yet seen in this Kingdom; it was a Male in prime Season, being full fat, measuring from Head to Tail above fifty Foot, and forty five in Thickness; his Tongue alone filled four Hogsheads and a half with Oil, and his Cod one. It is thought he will have 600 Weight of Bone, much longer, thicker, and every way better than any of the former killed on this Coast. As this Gentleman was equally con-

Progress of
Whale Fi-
shery in Ire-
land.

cerned with his Brother, who first discovered the Fishery in this Kingdom, so he promises the greatest Success, having struck several this Season, and killed two others, which were lost by Stress of Weather: It is not doubted but Mr. *Chaplain* will be able this Year to supply *Dublin Lamps* with Oil.

C H A P. VII.

An Account of the most important Occurrences in AMERICA.

Warlike Operations in the West Indies.

AS I gave an Account of the taking of *Porto Bello* in my Annals for last Year*, I shall now proceed to give an Account of our warlike Operations in that Part of the World, from that Time to the End of the Year 1740; and as the Accounts published in our *Gazette* are the most authentick, I shall first give the most important of them, and shall then add such other Accounts as I think most worthy of Observation.

March 28th, Letters from Vice-Admiral *Vernon*, dated at *Jamaica* the 2d of *February*, give an Account that he was returned to that Island with his Majesty's Squadron under his Command; that several of the Ships had suffered Damage in their Masts and Rigging by the hard Gales of Wind in the Passage from *Porto Bello*? but that they were refitting with all possible Expedition; and that the Admiral proposed to put to Sea again about the Middle of *February*. His Majesty's Ship the *Greenwich*, with the Fireships, Bomb Vessels, and Storeships, which were sent from hence to join Admiral *Vernon*, were all arrived at *Jamaica* on the 15th of *January*. Admiral *Vernon* had granted a Convoy to several Merchants of *Jamaica*, for protecting their Ships which were intended to trade on the *Spanish* Coast.

Letters from *Edward Trelawney*, Esq; Governor of *Jamaica*, of the same Date, advise, that pursuant to a Letter dated the 23d of *October* last, from his Grace

* See Vol. I, p. 385.

the Duke of *Newcastle*, his Majesty's Principal Secretary of State, he had caused War against *Spain* to be proclaimed in the three Towns of that Island. That upon former Orders he had taken all Precautions to prevent Stores or Ammunition being carried to the Enemy, and would continue with the same Vigilance to prevent their being supplied therewith from *Jamaica*.

On the 24th of *May* came Letters from Vice-Admiral *Vernon*, dated the 25th of *February*, giving an Account that the *Burford* (which was the Admiral's Ship at the taking of *Porto Bello*) having, in returning from a Cruize on the *Spanish Coast*, run upon a Rock off Point *Canoa*, two Leagues from the Shore, was found when she came into *Port Royal* to be so very leaky, that there was an absolute Necessity for her being careened before she can put to Sea again. The Admiral therefore hoisted his Flag in the *Strafford* for the Expedition he has now in Hand, and having caused the rest of the Squadron he takes with him to be repaired, victualled, and stored, with all the Diligence that could be used, he put out of *Port Royal* with the *Strafford*, *Prince's Louisa*, *Windsor*, *Greenwich*, and *Norwich*. The *Falmouth* had been sent away with the *London Convoy*, but was ordered to join the Admiral at a certain Station. The Admiral has also with him all the Fire-Ships, Bomb-Vessels, and Tenders, and being got out of the Harbour of *Port Royal*, dates his said Letters of the 25th of *February* from on board the *Strafford* at Sea. He had ordered the *Burford* to follow him as soon as she could be got ready, according to Directions left sealed up with her Commander, Capt. *Watson*. The *Torrington* was likewise getting ready in order to follow the Admiral. Commodore *Brown*, with several of his Majesty's Ships, was left at *Port Royal*. On the 21st of *February*, Capt. *Wyndham*, in the *Greenwich*, returned to *Port Royal* from a Cruize, in which he had chased ashore and destroyed just to the *Leeward* of the Port of *St. Jago*, the *Spanish Brigantine Privateer* that was the *South Sea Company's*, commanded by Capt. *Willis*, and seized in that Port, and fitted out for a Privateer, and might have been very pernicious to our Trade, if she had not been timely destroyed; she was towing in an *English Brigantine* that had left Company with the Convoy

voy, but was brought safe into *Port Royal* by the *Greenwich*.

*Chagres
Castle taken
and demolished.*

June 29th, Mr. Thomas, Purser of his Majesty's Ship the *Strafford*, arrived here with Letters from Vice-Admiral *Vernon*, dated *Porto Bello*, April 5, to his Grace the Duke of *Newcastle*, one of his Majesty's Principal Secretaries of State, with the following Account, viz.

' That on the 25th of February last he sailed from *Port Royal* in *Jamaica* with a Squadron of his Majesty's Ships, and having a favourable Wind got Sight of the High Land of *St. Martha*, on the Spanish Main, the 1st of March; that he ordered Capt. *Windham* in the *Greenwich* to ply up in the Night, and lye to Windward of the Port, for intercepting any thing that might be coming in there the next Day; and himself bore away with an easy Sail for *Cartagena*; that the 3d at Noon he was joined by the *Falmouth*, Capt. *Douglas*, off Point *Canoa*, and that Evening anchored with the Squadron before *Cartagena* in nine Fathom Water, in the open Bay called *Playa Grande*, and on the 6th he ordered in all the Bomb-Ketches, and the small Ships and Tenders for covering and assisting them, and continued bombarding till nine in the Morning; that the Squadron received no Damage from the Town; but the Shells fell into the Town pretty successfully, particularly into the principal Church, the Jesuits-College, the Custom-House, and beat down several Houses between them, and a Shell that fell into the South Bastion silenced a Battery of ten Guns there for a long time, that he drew off his Bomb-Ketches and small Craft on the 9th, and weighed with his Squadron on the 10th in the Morning, and making the Signal for the Line of Battle, he coasted the Shore towards *Boca Chica*; that they fired at him from the three small Castles without *Boca Chica*; but none of their Shot reached him: And that having left the *Windfor*, Capt. *Berkely*, and the *Greenwich*, Capt. *Wyndham*, to cruise off the Port of *Cartagena* for 20 Days, he made sail for *Porto Bello*, to repair there the Damages the small Craft had received, and on the 14th anchored with his Squadron in *Porto Bello* Harbour, detaching his Cruizers from time to time to lye off

off Chagre to block up the Enemy; and having got his Ships watered, put to Sea on the 22d with his Squadron, except the *Louisa* and *Falmouth*, which had not completed their Watering, but had his Order to hasten it and follow him; but an Accident in the Fore-top-sail Yard of his Ship, the *Strafford*, regarding her Progress, he ordered Captain *Herbert* in the *Norwich* to make all the Sail he could in before him, with the Bomb-Ketches, and all the Fire-Ships and Tenders under his Orders, and Captain *Knowles*, as Engineer on board the Bomb-Ketches for placing them to play on the Castle, and to cover them with his own Ship and the rest, that Captain *Knowles* got to an Anchor by three in the Afternoon, and began bombarding and cannonading that Evening, and by ten o'Clock at Night he got also to an Anchor with his own Ship the *Strafford*, and the *Falmouth* and *Princess Louisa* that followed him, the same Night; and continued bombarding and cannonading with three Ships, firing leisurely only from their lower Tier till eleven o'Clock on Monday the 24th, when the Spaniards hung out a Flag of Truce from the Fort, and he answered it from his own Ship, and stopt all firing as soon as possible, and sent Capt. *Knowles* on Shore, who soon returned with the Governor; to whom having granted the Capitulation hereto subjoined, he sent him ashore again with Capt. *Knowles*, whom he appointed Governor of the Castle for his Majesty, and sent a Garrison along with him of five Lieutenants and 120 Men, and all the Boats of the Fleet to land them; and by three o'Clock in the Afternoon Capt. *Knowles* entered the Fort with his Garrison. The same Evening Capt. *Knowles* sent and placed a Guard upon the Custom-House on the opposite side of the River *Chagre*, and Vice-Admiral *Vernon* went on shore himself by Day-break the next Morning to give all necessary Orders, and found the Custom-House full of Goods for the Lading of the Galleons, such as Guayaquil, Cocoa, Jesuiti Bark, and Spanish Wooll; and gave immediate Orders for their being speedily shipped off. The Number of Serons and Bags of the said mentioned Goods amounted to 4300: That the two *Guarda Costa* Sloops in the Ri-

‘ ver (which were all the Guarda Costa’s that were left in those Parts) were sunk just above the Custom-House, Carpenters having been ordered to break up their Decks and entirely destroy them. The Custom-House being entirely cleared by Friday the 28th, was filled with combustible Matter of the neighbouring Huts, and set on Fire that Evening, and it burnt with great Fierceness all that Night. On the 29th in the Morning the brass Cannon being embarked, were eleven Guns and eleven Pateraroes, and a good Part of the Garrison, the Mines were sprung under the lower Bastion, which entirely demolished it. Then two Mines were sprung to blow up some of the upper Parts of the Works, and afterwards all the inner Buildings of the Castles were set on Fire, and were burning all the Night on the 29th. On the 30th Vice-Admiral Vernon put to Sea with his Squadron, and on the 1st of April in the Evening got to the Mouth of the Harbour of Porto Bello, and was joined there by the Windsor and Greenwich, just returned from their Cruize off Cartbagena; and on the 3d was joined also by the Burford, which he had left at Jamaica to be repaired.

‘ Articles of Capitulation granted by Edward Vernon, Esq; Vice-Admiral of the Blue, and Commander in Chief of his Britannick Majesty’s Ships and Vessels, in the West Indies, to Don Juan Carlos Gutierrez de Zuellos, Captain of Foot, and Castilano of the Castle of St. Lorenzo, at the Mouth of the River Chagre.

‘ I. That upon his Britannick Majesty’s Troops being put into immediate Possession of the Fort St. Lorenzo, at the Mouth of the River Chagre, the said Castilano and all his Garrison be at free Liberty to march out without any Molestation, and may retire into the Village of Chagre, or where else they please.

‘ II. That the Inhabitants of Chagre may remain in all Safety in their own Houses, under a Promise of Security to their Persons and Houses.

‘ III. That the Guarda Costa Sloops be delivered up to the Use of his Britannick Majesty, in the Condition they are, and the King of Spain’s Custom-House.

‘ IV. That

IV. That the Clergy and Churches in the Town of Chagre shall be protected and preserved in all their Immunities.

*Given under my Hand on board his Britannick Majesty's Ship the Strafford,
at anchor before the River Chagre,
this 24th of March, 1739.*

E. VERNON.

In the Town and Fort of Chagre were found 2892 Serons, 2 Butts, and 5 Hogsheads of Cocoa; 1240 Serons, 4 Butts, 4 Hogsheads, and 12 Puncheons of Jefuits Bark, and 327 Bales of Viconia Wooll, the whole valued at 70000*l.* Besides Plate and other Effects to a considerable Value, so that the Officers and Seamen got a good Booty by the taking of this Castle.

All these Accounts, except that of the Booty taken, were published by Authority, and now I shall give some Additions and Explanations which we had by private Hands. A more circumstantiate Account of the Damage our Ships suffered in their Return from *Porto Bello*, we had in the following Extract of a Letter from a Gentleman on board the *Burford*, viz.

Squadron dispersed in returning from *Porto Bello*.

Dear Sir, Port-Royal, March 7th 1740.
I Think I wrote to all my Friends, I am sure I did to you, in our Passage from *Porto Bello* to *Jamaica*, by the Captain who brought over the News to the Government. In two or three Days after the Date of my Letters we met with such blowing Weather that the whole Fleet was dispersed, and out of thirteen Sail no one got in with us but the Commodore, and he with a sprung Main-Mast. The *Express Snow*, and the *Norwich* her Convoy, were both obliged to put into a Port belonging to the French in *Hispaniola* to refit, so that I imagine she is hardly yet arrived in *England*. The *Strafford* and *Anglesea* came in together two or three Days after us; this with a Jury Main-Mast, and that with a sprung Fore-Mast. The *Worcester*, the *Diamond*, the *Windsor*, the *Louisa*, the *Astrea* and *Triumph*, whereof the two last were Spanish Men of War Prizes, were all so distressed in their Masts, Yards and Rigging, as to be

rendered incapable of proceeding in the Voyage, and so were compelled to make the best of their Way back to *Porto Bello* Harbour in order to refit. As they were all short of Provisions the Admiral ordered our Ship in four Days to put to Sea in quest of them, with all necessary Stores, and to look into *Cartagena*, *Grand* and *Little Brougbs*, *Isle of Farta*, *Bastimentos*, &c. all along the Coasts down to *Porto Bello*, lest some of them might have fallen short or miscarried in their Design of making that Harbour. For this Purpose we set out a second Time (but without the Admiral) for the *Spanish Main*, when most unfortunately, on the 15th of January, we ran upon the *Coral Rock*, two Leagues to the Leeward of *Great Point Canoa*, and in Sight of *Cartagena*. We were standing in for a *Spanish Prize* lying at Anchor, and were then within Gun-shot of her when this unlucky Accident happened to us; which was entirely owing to the Ignorance of the Pilot, who was asked several Times by our brave Captain, whether there was any Rock, Rief, or Sand to take us up; if there was the least Hazard that he would Man all the Boats, and doubted not to take the Ship with them. The ignorant Villain declared positively that there was nothing to disturb us, and that we might sail up to her Broad-side, but had scarce spoke the Words when we found our Ship a-ground, in 15 Feet Water a Mid-ship, the drawing no less than 19 Feet. It is impossible for me to describe the Confusion, Surprize and Terror that appeared in every Countenance, every Soul (550 Men) were on the Quarter Deck in a Moment, whilst the poor Vessel, jumped and bounced, and tore along, all the Sheathing and false Keel flying about in a Minute, and every Knock she received throwing us off our Feet flat upon the Deck. Our Captain behaved more like an Angel than one born with human Imperfections through the whole Scene. You could view no Distress, no Apprehensions in his Face, but all was calm, all serene and quite undisturbed. He ordered the Helm in a Moment hard a Weather, and commanded Silence and Attention to his Directions; and if by an unlucky Mistake they had not been misunderstood, we should have tumbled off in half a Minute. Whilst

the

the Captain was forward one of the Mid-Ship Men came aft and ordered the Helm to be shifted hard a Lee, as if by the Captain's Direction, so that we fell farther upon the Rock just as she was going off; which the Captain perceiving came running aft, asking how the Helm was, and finding it shifted, feared we were utterly undone: and most unavoidably we must have suffered, had it not then pleased God that the Wind should shift off Land, when the Captain ordering the Sails to be back'd off of all, we roll'd off in about 15 Minutes. This great Deliverance, among many others, I shall ever be particularly thankful to Almighty God for.

We thought no more of our Prize but immediately enquired how we stood affected as to Leakage, which we found to be no less than two Feet an Hour. It was resolved however to proceed on our Voyage, which we did for ten Days, in hopes by the Oakum's swelling the Leak might grow less; but to our great Surprise, after very hard Weather near *Porto Bello*, and not being able to reach it, it encreased to double the Quantity. We then concluded it quite unsafe to stay a Moment longer, and stretched over directly for this Harbour, where, with the utmost Difficulty, we arrived safe on the 6th of February, and found all the Cripples got in but the *Triumph*, then given over for lost. Two Days ago her Crew arrived all safe, after having been ten Days in their Boats about the Gulph of *Darien*, and taken up on the point of starving, by a French Vessel, which turned them over to a Dutchman, who put them on board a Sloop belonging to this Harbour. The *Triumph* founded near *Sambala* Keys, but the Lieutenant who commanded her, a worthy Gentleman of my Acquaintance, and her Company of 80 the best Men collected from every Ship in the Squadron, being all saved, will be very agreeable News to the Admiral when he hears it, who was under the greatest uneasiness about them.

The Admiral finding himself disappointed of going out in our Ship (as he intended immediately upon our Arrival) by reason of the Misfortune we met with, hoisted his Flag on board the *Stratford* so soon as the other Ships could be got ready, and with 13 Sail, of

which

which two were Bombs, two Fire-Ships, and three Tenders, he sailed, as is believed, for *Bocca Chica*, a strong Fort at the Mouth of the Harbour of *Carthagena*, where Admiral Don *Blas* lies with four Men of War to guard the Galleons. We cannot suppose an Attempt will be made to take the Town, or any other Forts of *Carthagena*, with so small a Force; but as Don *Blas* has sent the Admiral a most impertinent Letter since our taking *Porto Bello*, in which he tells him, he hopes to have the Pleasure of meeting him before he leaves these Seas; and as I heard the Admiral say, that in order to save Expence in sending a Messenger with an Answer, he would carry it very soon himself in Person, I make not the least Doubt but he is gone thither, and will do all in his Power towards burning, taking, or sinking his Fleet.

In heaving down our Ship now in the Wharf, we find her solid Keel knocked off even with the Planks for 22 Feet a-Midship, and 10 Feet a-Head; so that one Knock more, (which she providentially escaped) must inevitably have sunk her.—You will by this Time I doubt not be wondering I am not gone to Sea with the Admiral, but will I hope not be displeased to hear that he has been so kind as to excuse me from any further Attendance there, and at the same Time has, by a most hearty Recommendation of me to the Government, obtained for me the Living of *Port-Royal*, worth 310*l.* a Year. This he did in the most polite Manner, having asked it for me whilst I was at Sea the last Cruize, and got my Presentation dated six Days before we came in, viz. on the 1st of February last. I still enjoy the Profits of my Ship as formerly.—To return to the Publick, we have had the most surprising Success imaginable against the Pirates, our Privateers coming in almost every Week with two or three towing at their Sterns, and common Fellows sharing 500*l.* a Man; a small one brought in Goods the other Day to the Value of 10,000*l.* another 40,000*l.* and a third took seven one after another, to the Value of 80,000*l.* Sterling. We hope the Admiral will call at St. *Jago de Cuba* as he returns, and demolish the Forts there, being a Nest of Spanish Privateers, who have only as yet taken one poor Sloop belonging to this

this Island. I have enclosed you two Lines, as formerly, which relate to our private Affairs, for the same Reason as hinted in my last, and am, with the greatest Respect and Affection,

‘ Dear Sir,

‘ Your most faithful

‘ And obliged humble Servant,

‘ W. RICHARDSON.’

About the Beginning of June, Admiral *Vernon* received Advice by a Packet sent express to him from the Lord *Tyrawley*, our Minister at *Lisbon*, that the Spanish Squadron was sailed from *Cadiz*, and supposed to be designed for the *West-Indies*; whereupon the Admiral sailed out immediately with his Squadron upon a Cruise to the Windward, hoping to have the good Fortune to meet with them in their Passage; but after cruising for some Days and hearing no Account of them he returned to *Jamaica*. Of this and some other Particulars we had the following Account in an Extract of a Letter from the Gentleman before-mentioned as follows.

Admiral
Vernon fails
in quest of
the Spanish
Squadron
from *Cadiz*.

‘ I mentioned in my last an Express being arrived from Lord *Tyrawley* to the Admiral, with Advice of the *Calas* Squadron being sailed for *Cartagena*, as supposed: In Consequence hereof, the Admiral, in order to cut them short before their Arrival, sailed for *Santa Martha*, with such Ships as could be got ready, on the 16th of *June*; but as the Weather proved tempestuous, the *Windfor* lost her Fore-Mast, and returned hither in five Days to refit. In six or seven Days after the Squadron arrived before *Santa Martha* the Wind blew very hard and did great Damage to the Rigging of our Ships; and hearing no Account of any Spanish Vessels upon that Coast, the Admiral made the Signal for stretching over, and they all arrived safe here on the 21st ult. When the Admiral left the Spanish Main he ordered the Brig-Tender to bear away for *Cartagena*, to look into that Harbour, and find out whether any more Ships had arrived there since the *Hampton-Court* had left that Station about ten

ten Days before. The Brig found all Things in *sicu quo*, the Galleons and Men of War moored and unrigged, being in no Condition to put to Sea: In their Passage thither they met with a French Vessel, in which were our South-Sea Factors who had been so long detained there, and had at last obtained Leave to come off in this French Bottom, upon a Promise of paying 300 Pistoles for their Passage to *Rio de la Hach*, a Place many Leagues to the Windward, from whence they were to find the best Passage they could to *Jamaica*; but by this lucky Accident they were freed from their expensive Voyage, and being taken on Board the Brig, were brought safely into this Harbour. They acquaint us that Admiral Don *Blas* had a narrow Escape from being killed by one of the Bomb-Shells thrown into the Castle, which fell close by him as he was at Dinner in the Piazza, and so much frightened all the Company present that they dropped under the Table, except himself; but say, that falling upon very soft Ground, it sunk deep, and either did not break, or did no Damage if it did. They intimate the vast Concern that Don *Blas* and the whole Town are under for the Loss of *Porto-Bello* and *Chagre*, expecting in a short Time to have the same Fate themselves at *Cartagena*. Our small Ships are all out upon Cruize; but the Admiral's, with the principal Men of War here, will not put to Sea till we are reinforced from Home, and have a Supply of Stores and Ammunition sent out. The *Shoreham* Man of War returned hither lately from her five Months Cruize in the Gulph of *Florida* and Bay of *Mexico*, having taken a large Privateer belonging to the *Havannah*; as did also the *Spy Sloop*, having re-taken a Vessel belonging to *Philadelphia*, after she had been some Time in Possession of the Spaniards, who treated her Crew very barbarously. It is doubtless a sensible Concern to the Admiral, as it is indeed to all here who wish well to the King and the glorious Cause we are now defending, that the Stores of Cordage, &c. so long expected, and so much wanted, are not yet arrived.

P. S. Four Days after the Date hereof, the *Falmouth* brought in a large Dutch Vessel of 28 Guns, which was hired to bring over the new Vice-Roy of Mexico.

Mexico. The *Worcester* and *Falmouth* took her to Westward of Cuba; but the Vice-Roy escaped in a Sloop, who, through Hurry and Mistake, left behind him his Crown, Sceptre, and other Regalia, together with his Jewels and Money in Specie, to the Value of 100,000*l.* The *Worcester* is in Pursuit of the Sloop, and 'tis thought will certainly take her. There are Letters taken which mention two more rich Ships to have been in Company, for which our Cruizers keep a sharp look-out. *Hogen Mogen* looks very silly upon this Affair, as knowing his Vessel must surely be condemned.'

In Honour to my Country, and in Justice to the Gentlemen concerned, I cannot omit recording the few following Accounts of the Courage and Conduct of our Privateers.

The most remarkable of this Kind, we had in the following Letter from *Jamaica*, dated July 26th, 1740. Capt. Stuart's gallant Behaviour.

' Give me Leave to acquaint you of the gallant Behaviour of one of our Privateers, Capt. *Stuart*, who being off of *Cartagena* in a Snow with 60 Hands, the General of the Galleons ordered out two Sloops after him, commanded by some of his best Officers, who had the chusing of the best Men of his Squadron to the Number of two Hundred or upwards. The Snow managed it so as to fight but with one of them, which was commanded by *Pisa*, and they fought from eight till about five in the Evening, when *Stuart* took her; she having only 8 Men left alive at last. It unfortunately happened, that at the Time of taking her *Stuart's* Anchor fastened some how to her Bow, so that he could not get loose; by which Means he could not keep off the other Sloop commanded by *Palanca* (the Man that cut off *Jenkins's* Ear), who boarding him with fresh Men over-powered him, though *Stuart* killed a great many of his Men before they boarded. This unhappy Accident was soon followed by a good one, for soon after two of our Sloops came in Sight; and the Spaniards were so reduced by this Action, that they had not the Courage to think of making any Resistance, but run the two Sloops and Snow a ground,

ground, where ours took them. It is said that our Men used the *Spaniards* cruelly, upon hearing that they had used ours so: This *Stuart* won't confess to me, but says that the *Spaniards* killed some of his Men in cold Blood, and wounded others, and that he would have been killed himself, if one of the Officers had not protected him, whom he was able afterwards to pay in Kind. *Palanca* ransomed himself of the Privateer for 5000 Dollars. Twenty-nine of *Stuart's* Men are alive, but not one of them that was not wounded in the Engagement, and some of them afterwards too: Some are all over Wounds, particularly two *Mosquito Indians*, whom I have seen since, who behaved themselves, they say, most desperately. I think it must mortify the General of the Galleons, to find his choice Men and best Officers beat by a Quarter of their Number, composed of *Indians*, *Mulattoes* and *Negroes*, and such white Men as could be picked up here and there.

' This is a true Account (though not in Sea Terms, which I never can learn) as related to me by *Stuart*, of his bloody Engagement.'

Capt. Coults
good Con-
duct.

By the Way of *Bristol* we had from the same Island an Account, that Capt. *John Coults*, who sailed from *Bristol* the Beginning of the Year 1740, to St. Christopher's, had there fitted up a small Ship called the *Boyd-Snow*, in which, with 60 Hands on Board, he sailed upon a Cruise towards *Jamaica* against the *Spaniards*. This little Company, soon after they sailed, met with two Spanish Vessels, which they made Prize of; but as they were conducting them to *Jamaica*, they were surprized by a Spanish Man of War of 60 Guns, to whom they apprehended they must become a Prey: The Captain hereupon called a Council, and proposed to them to put all their Hands except 12 on Board the two Prizes, who should make all the sail they could for *Jamaica*, whilst he with the remaining 12 in the Snow would keep the Enemy in play, and cover their Escape. The Motion was unanimously approved and executed; and according thereto he, in the Snow, made all the Fire he could on the Man of War, who returned it, and was surprized at the Hardiness of this little Spitfire; but

but there running at that Time a high Sea, could not, in a long Engagement, once hit the Snow, so that when she was taken not one of her People had so much as a bloody Finger; and when she was found to have but 13 Hands on Board, the Spanish Commander was Thunder-struck. By this brave Defence the two Prizes got safe into Port-Royal, whilst Coul and his chosen Few were carried Prisoners into Cartagena, from whence by Night they all made their Escapes together in a Yawl that they had observed in the Harbour proper for their Designs, without any Provisions or Water; but going ashore next Morning, plundered some Houses on the Coast of what Necessaries they could find, then boldly ventured to Sea, and providentially arrived all safe at Jamaica, where, to their great Joy, they found the rest of their Ship-Mates and the two Spanish Prizes. Here the Captain soon supplied himself with another Vessel for his Purpose, and sailing thence on a Cruize off the Spanish Main, had the good Fortune to meet with a rich Carracco Ship, laden chiefly with Cocoa, which he made Capture of, and convoyed safe into St. Anne's on the North Side of Jamaica.

Messieurs Gordon and Wells of St. Christopher's, having fitted out a small Privateer Sloop with only 25 Men on Board, and appointed Capt. Cunningham Commander, she sailed upon a Cruize towards Jamaica, in which she took a very valuable Prize, and being to return to St. Christopher's, by Way of the Windward Passage Capt. Madox in a Bristol Ship took the Advantage to sail in Company. As they were sailing through, near the Island Heneago, they espied a Sail, which appeared to be a large Ship, and much superior in Force to this little Sloop. However Capt. Cunningham resolved to speak with her, therefore he desired Capt. Madox to make the best of his Way, and gave Chase. He soon came up with her, and finding she was a Spanish Ship, resolved to Board her at once, which he did, and the cowardly Crew immediately cried out for Quarter and surrendered. She proved to be a Ship of 12 Guns, Carriage and Swivel, and 75 Men, bound from the Canaries to the Havanna, and was reckoned worth 20,000*l.* Sterling.

Capt. Cunningham's
Bravery and
Success.

These

French and
Spanish
Squadrons
arrive in the
West-Indies.

These are the most material naval Transactions on our Side in the *West-Indies*. As for the Enemy, they could do nothing at Sea against us, except sending out a Privateer now and then by Stealth, to snap up our flagging Merchant Ships, in which they had but little Success; for by the Care and Conduct of Admiral *Vernon*, so far as his Powers reached, their Privateers generally caught a *Tartar*, and were themselves snapt up or drove a-shore and destroyed by our Cruisers. But towards the latter End of the Summer the Scene was like to have changed very much to our Disadvantage; for in September the Spanish *Ferrol* Squadron consisting of the following Ships of War,

Ships.	Guns.	Men.
St. Philip	80	1000
La Reyna	70	980
St. Anna	70	850
Principe	70	850
St. Jago	70	850
Fuerte	66	700
Real Familia	60	700
Castilla	60	700
Nueva Espania	60	700
Andalusia	60	700
St. Lewis	60	700
St. Antonio	60	700
Total	786	9530

arrived at *Porto Rico*, and about the Beginning of October both the French Squadrons from *Brest* and *Toulon* arrived at *Martinico*, consisting of near 30 Men of War great and small. As soon as the latter arrived at *Martinico*, an Embargo was laid upon all the Ships in the Island, a great many Men raised, and all Preparations made as if they were immediately to go upon some important Expedition; but in their Voyage from *Martinico* they met with a violent Storm, and all put into *Port Lewis* in *Hispaniola* about the latter End of that Month. October 6th, the Spanish Squadron sailed from *Porto Rico*, and arrived at *Carthagena* the 28th, where we shall leave them and return to Admiral *Vernon*.

On

On the 5th of September the Store-Ships from England, which he stood in great Need of, arrived at Jamaica, under Convoy of his Majesty's Ships the *Defiance* and *Tilbury*; and on the 3d of October he sailed with Part of his Squadron on a Cruise off the Coast of Hispaniola, having then had no Notice of the Arrival or designed Arrival, either of the Spanish or French Squadrons. However, on the 19th of October he was luckily joined by eight Sail of Transport Ships, under Convoy of his Majesty's Ship the *Wolf*, with Land Forces from North America, which he conducted safe to Jamaica.

American
Troops ar-
rive in Ja-
maica.

Soon after this the Admiral had Advice of the Arrival of the Spanish Squadron at Cartagena, and the French Squadron at Port Lewis, so that he found himself between two Squadrons, each of which was superior to him in Ships and Numbers of Men, one a declared Enemy, and the other, if I have been rightly informed, he had great Reason to look on as a secret one; for by the Spanish Instructions to their Admiral, which, as I have been told, some of our Ships had intercepted, he had Orders to concert Measures with the French Admiral, who, as they said, had secret Orders to join with and assist him, in the Execution of any Design that should be resolved on in a joint Council of War. Thus Admiral Vernon was penned up in Jamaica, and in this Condition he remained till the End of the Year. However, though the Enemy were now Masters at Sea, our Troops from North America all arrived safe at Jamaica before the End of the Year, and would certainly have been of great Service, if the Enemy had made any Attack upon that Island.

Admiral
Vernon shut
up in Ja-
maica.

I shall now give an Account of our warlike Exploits at Land in America, the only considerable one being that against St. Augustine, of which we had various and very different Accounts, and therefore I shall give only such Facts as seem to be uncontested. As the Assistance of Carolina was necessary for carrying on any Expedition against St. Augustine, and as the People of Carolina had great Reason to assist in driving the Spaniards out of Florida, General Oglethorpe, on the 21st of September 1739, wrote to the Honourable William Bull, Esq; Lieutenant Governor of that Province, wherein he

Expedition
against St.
Augustine.

acquainted him, ‘ That he had received Orders from his Majesty to annoy the Subjects of the King of Spain in the best Manner he was able; and that he hoped the People of Carolina would give the necessary Assistance, that they might begin with the Siege of Augustine, before more Troops arrived from Cuba.’ The Contents of which being communicated to the Commons House of Assembly, by the Lieutenant-Governor, in a Message on the 8th of November following, a Committee was appointed to take the same under Consideration, who, in their Report thereon recommended, ‘ That, in Case General Oglethorpe should think proper to form a Design of besieging Augustine, and should communicate his Scheme to the General Assembly, and should make it appear, that the same might probably be attended with Success, that then the Publick of this Province would engage to give General Oglethorpe the best Assistance they reasonably could, to put his Scheme in Execution.’ To this the House agreed, and, in Consequence thereof, sent a Message to the upper House, ‘ to desire their Concurrence, and that they would apply to the Governor to communicate the same to General Oglethorpe.’

On the 4th of February following, the Lieutenant-Governor sent down to the lower House an Account of the Assistance the General expected from that Province, consisting of such Forces, Presents for Indians, Ammunition, Provisions for such Forces, and for 400 Men of his own Regiment for three Months, and such other Stores as he thought reasonable and necessary for that Province to furnish towards the Siege. Which Proposal having been considered by a Committee of both Houses, they reported, ‘ That the same would exceed the Sum of 200,000 Pounds Carolina Currency, which they were of Opinion was too large an Expence for the Province to bear; but recommended that, if the General would undertake the Expedition against St. Augustine, and would certify to the General Assembly of the Province, that the same was likely to be attended with the Success of taking that Garrison, with such an Assistance from this Province, as should not exceed 120,000 Pounds; that the Publick of this Province were willing to be at that Expence, and would

' would provide for the same ;' which was agreed to by the House. And that Committee being directed to calculate, what Number of Forces, what Presents for Indians, what Provisions, &c. might be transported to Augustine for that Sum, reported, ' That the same was sufficient for a Regiment of Foot, containing eight Companies of 60 Men each ; for 300 Pioneers, ' Presents for 1000 Indians, and Provisions for the Whole for six Months.' This was also communicated to the General by the Lieutenant Governor, at the Request of both Houses, together with certain Articles proposed to be stipulated with the General, for conducting the Expedition.

The General coming soon after to Charles-Town, desisted the Lieutenant-Governor, in a Letter of March 26, 1740, to acquaint the Assembly, ' That he had received their Plan, proposing the Assistance of 120,000 Pounds towards the Siege of Augustine, and that he was come to consult Measures with them, for bringing that Enterprize to a happy Conclusion, with the smallest Expence of Men and Money. For which Purpose it would be best immediately, with what Men could be had, to make a sudden Attempt.' And on the 29th of the same Month, the Lieutenant-Governor sent down to the Commons House of Assembly, the General's Plan of Assistance, for a sudden Attack upon Augustine ; proposing, ' That one Regiment of 400 Men should be raised, a Troop of Rangers or Cattle Hunters, Presents for 500 Indians, Provisions for the Whole for three Months, and Arms, Ammunition, Tools and Utensils, adding, that unless the same could be furnished so as to set out from Charles-Town in fourteen Days, the Enterprize would not be likely to succeed.' It was the unanimous Opinion of the House, upon considering these Proposals, ' That the Particulars therein specified could not possibly be provided in so short a Term.' And as they had then the greatest Reason to think the Enterprize would be declined, they directed their Committee to join a Committee of the upper House, and desired the General might be asked, ' What Supplies he thought would be necessary to keep the War on the other Side of St. John's River.'

There was accordingly a Conference of a large Committee of both Houses the same Day, at which the General and Capt. *Vincent Pearse*, Commodore of his Majesty's Ships of War in those Parts, and most of the Members of both Houses were present. When the General proposing to the Committee to stay a longer Time for the Supplies, and representing to them, ‘ That he had private Intelligence from *Augustine*, that they were in the greatest Want of Provisions; that he was certain many of the Garrison would desert, and that he did not doubt making himself Master of the Town the first Night: That the Multitude of Women and Children who would be forced from thence into the Castle, must necessarily distress it; which, being followed with the throwing in of several Bombs, would undoubtedly produce a speedy Surrender: That in case the *Havanna* was taken, the Spaniards would in all Probability, rather call in the French to *Augustine*, than let it fall into our Hands.’ In brief, both he and the Commodore giving the greatest Encouragement to the Committee to report in Favour of the Enterprize, the latter of whom said, ‘ they ought all to be hanged if they did not take it in a very short Time;’ and the General further representing, ‘ that he had sent for several *Indians* who were daily expected down to the Expedition,’ the Committee induced by such Reasons, recommended it in their Report, ‘ to assist him with such Forces and Necessaries as were thought sufficient to the Enterprize, according to his own Plan last mentioned, and to continue the same for one Month longer than he had proposed;’ being only prevented from continuing them for six Months in the Whole, by the Captains of his Majesty's Ships declaring, ‘ they could not venture to stay so long, as they apprehended the Hurricane Season would approach before the Expiration of that Term.’ All which being approved by both Houses, an Act was passed, April 5, 1740, for carrying the same into Execution.

These Engagements were not only punctually fulfilled by that Province, except the Article of Rangers, who could not be procured, but left they should not prove sufficient for the End proposed, the Assembly afterwards voted an Addition of 200 Men more for it. Besides which,

which, the Lieutenant-Governor purchased by their Allowance, a large Schooner with ten Carriage and 16 Swivel Guns, in which they put 50 Men under the Command of Capt. Tyrrel.

As soon as the Province of Carolina agreed to what the General proposed, he published the following Proclamation there.

Charles-Town, April 1, 1740.

WHEREAS upon mature Deliberation, it is resolved to defend these Provinces, by invading the Province of Florida, and attacking St. Augustine, in order to remove the Enemy that from thence may molest his Majesty's Subjects in America, which Enemy both have, and do continue to foment and countenance the Slaves in Rebellion, burning of Houses, Murders, and other Cruelties, of the Succels of whose Proclamations the late Massacre in this Province has been too sad a Proof: And whereas the General Assembly of this Province hath ordered Forces to be raised, so that an Army composed of various Troops and Indians are to assist in invading the Spanish Dominions of Florida; I therefore to prevent any Disorders that may arise in the said Army, by Virtue of Powers received from his Majesty, authorizing and empowering me (for the better Government of the Forces during their Continuance under my Command) to prepare and publish such Rules and Ordinances as are fit to be observed by all Officers and Soldiers. In regard therefore to the Regiment of Foot raised in South-Carolina, I do constitute and appoint that Alexander Vanderduff, Esq; Colonel of the laid Regiment, paid by the Government of South-Carolina, shall hold Regimental Courts Martial, for the Trials of such Offences as shall be committed by the Officers and Soldiers of that Regiment; and that the laid Court Martial shall consist of the Officers of that Regiment only; and that the Colonel of the laid Regiment shall sit as President of the said Regimental Courts Martial, and make a Report to me, and that according to the Judgment of the said Courts I shall cause Sentence to be pronounced, in Case I approve of the same; or otherwise suspend the same, as I shall see Cause. And

B b 3

I do

I do further declare, that this Authority shall continue for the Space of four Months from the Commencement of the said Expedition, and no longer; and that after the Expiration of the said four Months, or other sooner Determination of the said Expedition, every Officer and Soldier, whether Voluntiers from, or in the Pay of the Government of *Carolina*, shall have free Liberty to depart and return to their Habitations, and that a free Pass (if by them required) shall be respectively granted unto them against being impressed, impeded, enlisted, or detained by any Authority, civil or military, whatsoever, that may be exercised by, or derived from me.

And I do further declare, that all Negroes which have deserted from *South-Carolina*, and which shall be taken in *Florida* during the said Expedition, shall be delivered up to their respective Owners, on paying the Sum of five Pounds Sterling per Head to the Captors.

And I further declare, that if the Officers of his Majesty's Ships of War shall land Men to assist the Land Forces in any Land Service, one full Moiety of all the Plunder that shall be taken in such Service shall go to the Officers and Men in his Majesty's said Sea Service, whose Ships are assisting in the said Expedition; and that all Plunder taken and accruing to the Officers and Men in the Land Service, shall be divided among the Officers and Men of the Land Service, in the same Manner and Proportion as Prizes are distributed among the Officers and Men in his Majesty's Sea Service, according to the Laws and Rules of his Majesty's Navy. And I do further declare, that whatever Share of Plunder shall come to me as General and Commander of the said Forces, I will apply the same totally towards the Relief of such Men as may happen to be maimed or wounded in the said Expedition, and towards assisting the Widows and Children of any of the said Forces that may happen to be killed in the said Service, and for the rewarding such as shall perform any distinguished brave Action. No Indian Enemy is to be taken as a Slave, for all Spanish and Indian Prisoners do belong to his

Majesty,

Majesty, and are to be treated as Prisoners, and not
as Slaves.

JAMES OGLETHORPE.

By his Excellency's Command,

Francis Moore.

The Province of *Carolina* having given the Command of their Regiment to Col. *Vanderduffen*, and all Things being prepared for the Enterprize, the Rendezvous for all the Forces was appointed at the Mouth of St. John's River, where, accordingly, most of them arrived the 9th of *May*; but some Time before this the General had attacked and taken St. *Francis de Pupa*, a little Spanish Fort, wherein were a Serjeant and 12 Soldiers, about 17 Miles from St. *Augustine*. From the Mouth of St. John's River, the Army marched on the 10th of *May* to attack Fort *Diego*, about 20 Miles distant, which Fort had 9 Swivel, 2 Carriage Guns of two Pound Shot, and 50 Men. And having surrounded it on the 12th, they sent in a Spanish Prisoner with a Drum, to summon the Garrison, who immediately capitulated on the following Conditions. The Garrison to surrender Prisoners of War, and deliver up the Fort with the Guns and Stores to the King of Great-Britain. 2dly, That they should have Liberty to keep their Baggage, and not be plundered. 3dly, That Seignior *Diego Spinosa*, to whom the Fort belonged, being built at his Expence, and on his Lands, should hold his Lands, Slaves, and such other Effects, as were not already plundered in the Field. 4thly, That no Deserters or Runaways from *Carolina*, should have the Benefit of this Capitulation, but be surrendered at Discretion. This Fort was garrisoned by 60 of the General's Forces, and from thence they returned to the Place of Rendezvous, where they were joined by Colonel *Vanderduffen* with the rest of the *Carolina* Regiment on the 19th of *May*, whence they marched again to *Diego* the 31st, and from thence in two Days to Fort *Mosca*, in View of, and near two Miles distant from *Augustine*, and 23 from *Diego*.

The Spaniards having deserted *Mosca*, the General ordered the Gates to be burnt, and three Breaches to be

made in the Walls. They then proceeded with the whole Army to reconnoitre the Town and Castle, after which they returned back to *Diego*. From thence the General ordered Colonel *Vanderduff* to march with his Regiment, and take Possession of Point *Quartell*, lying to the North of the Bar, and separated from Fort *Mosca* by a Creek; while the General with about 260 Men of his Regiment, and the greatest Part of the Indians embarked on Board the Men of War, and arrived at the Island of *Anastasia*, opposite to the Castle; leaving behind him on the Main, but between 90 and 100 white Men, *Highlanders* and others in his Pay, with 42 Indians and two commissioned Officers, to alarm the Spaniards on that Side, but gave a verbal Command of the Whole to Colonel *Palmer*, a Volunteer from that Province. About the same Time 200 Sailors from the Ships were landed upon that Island, which the Spaniards directly abandoned, under the Command of Captain *Warren*, Captain *Laws*, and the Honourable Captain *Townshend*, who were all very instrumental, by their exemplary Courage and Diligence in inciting their Men to erect Batteries, and do such other Services as presented.

While the Troops were thus disposed, a strong Detachment issued from the Castle of *Augustine*, June 15, between three and four in the Morning; and attacking the Party under the Command of Colonel *Palmer*, then at Fort *Mosca*, defeated them, killing the Colonel, with several others, and taking many Prisoners, after which the *Carolina* Regiment was ordered over to *Anastasia*.

Two Batteries were thrown up on the Island of *Anastasia*, one a Mile and Quarter, the other a Mile and half, and a third at Point *Quartel*, a Mile and Quarter from the Castle of *Augustine*. From these Batteries they fired at the Castle and Town, and threw off a great Number of Shells. The Fire was returned from the Castle, and from six Spanish half Gallies in the Harbour that chiefly annoyed our Forces: Upon which it was proposed to attack the Gallies, and was agreed to by the three Sea Commanders ashore, and such of the Land Officers as consulted with them, and a Time was appointed to put it in Execution.

This Resolution was in Consequence of a Letter from Commodore *Pearse* to Col. *Vanderduff* of June 23rd,

in which he recommended the Affair of attacking these half Gallies to the Consideration of the Sea Commanders on Shore, and the Land Officers. In Pursuance of which Recommendation, a Conference was held in Col. *Vanderduffen's* Tent, June 26, where himself, Lieutenant-Colonel *Cook*, Capt. *Warren*, Capt. *Town-bend*, and Capt. *Laws* being present, it was resolved to attack the Gallies, provided there was Water enough on the *Swash* opposite to the Castle, for the Boats to go round. The same Afternoon Capt. *Warren* went on Board the Commodore, where a Counsel being held, the Result was, that the Thing was impracticable, of which Resolution, the Commodore sent the General and the Colonel a Copy the same Evening; and that Afternoon he also made a Signal for Capt. *Fanshaw*, who was cruizing off the *Metansis*, to come and join him.

June 27, between one and two in the Morning, Capt. *Richard Tyrrel*, Commander of the Schooner belonging to *Carolina*, went in a Boat, and sounded between the Point and the Keys opposite to the Castle, and found four Feet on the *North*, and six on the *South* End of the *Swash* at half Flood, and returned safe without Discovery. Yet notwithstanding this Objection, as to the Depth of Water, being thus plainly removed, the same Day the Commodore sent Word to Colonel *Vanderduffen*, 'he would give no Assistance towards attacking the Gallies, as thinking it impracticable.' Upon which the Colonel went on Board the Commodore, and represented to the Captains assembled there, the bad Consequence of their going away without attacking them, but to no Purpose, the Majority voting it impracticable.

When it was first proposed to attack the Gallies, it was projected in the following Manner, *viz.* The General was to make a Diversion on the Main, by attacking the Town; Colonel *Vanderduffen*, with Part of his Regiment, was to keep a continual Fire on the Town and Castle from the Batteries; while Capt. *Tyrrel* was to have set upon the Gallies with the Seamen and the rest of the Colonel's Regiment. The General was accordingly on the Main with his Troops, expecting that Service: But the Commodore disapproving this, and it being yet a second Time agreed to be attempted, upon the

the Remonstrances of Colonel *Vanderduffen* and Capt. *Warren*, when the Commodore's Lieutenant was to have commanded the Attack, new Difficulties were further started when they came on Shore, and so it was still unattempted. Yet it appears that soon after the Men of War slipping their Cables, and putting out to Sea in a Storm, the Colonel endeavoured to revive the Attempt on the Gallies in their Absence. But proposing it to the Commodore's Lieutenant, Mr. *Swanton*, who appeared to be a Gentleman of Spirit, and commanded the Seamen left on Shore, he was told, 'He had Orders left not to venture any of them before the Return of the Shipping.'

Towards the End of June some Sloops with a Supply of Provisions for the Garrison got in safe at the South Entrance to the Harbour of St. *Augustine*, called the *Metansas*, without having been discovered by any of our Men of War, till it was too late to intercept them. How this happened I have not heard accounted for, but it was a seasonable Relief to the Garrison, who had not then above three Days Provisions of Bread Kind in the Place; and the Hurricane Season coming on, the Commodore gave Notice to the General, that he must leave his Station and sail away with the King's Ships on the 5th of July. Upon this it was represented, 'that since the Men of War were obliged to sail away, it would be necessary to send the two Men of War Sloops into the *Metansas* to guard that, and either secure the Retreat of the Forces on *Anastasia*, if they should be reduced to one, or assist in continuing the Blockade, till they should be enabled to act more offensively by a further Assistance.' To this Proposal it was agreed, provided the Sloops had Water enough to get in there, and a Council was held, July 3, wherein some of the Pilots that had been sent to sound, declared upon Oath, 'There was not Water enough on the Bar of the *Metansas* for the Sloops to go in; and if they could go in, they could not lie safe there from a Hurricane, nor could they fight above one a Breast, in Case they were attacked by the Gallies.' But the Commodore afterwards asking Mr. *Blomfield Barradell*, Lieutenant of the *Wolf* Sloop, who had been along with the Pilots, and happened to be a Board his Ship that Night with

with some Captains, what he had to say in that Affair, he replied, That the Pilots had given their Opinion, and that he was not then to be examined; but if they asked his Opinion, he would give it. They then desiring he would, he affirmed, ' That there was Water enough on the Bar for the Sloops to get in; that they could lie safe from a Hurricane when in; and that there was also sufficient Room when in, to fight three a Breast, in Case they were attacked.' Upon the Pilot's afterwards objecting to their lying safe, he asked them, ' Whether they remembered to have seen such an Island, when they were there?' And when they acknowledged they did, he replied, ' that they ought to know, they could lie safe from a Hurricane under that Island.' Notwithstanding which, it was resolved afterwards in Council, that they should take off all their Men, and sail away, leaving Captain *Townshend* at *Frederica*, which put an End to the Enterprize; for next Day, the Siege, if it may be called one, as the Town was not invested, was raised, and the Troops marched back to *Georgia* and *Carolina*, without losing more than one Man by the Enemy, so far as I have heard, except those before-mentioned under Col. *Palmer*.

Our only other Land Expedition we had an Account of as follows, *viz.*

*Musqueta
Indians Ex-
pedition.*

' Port-Royal, Aug. 26. I can with Pleasure acquaint you, that Mr. *Hudson*, a Lieutenant of the Independent Company, who was sent down among the *Musqueta Indians* about six Months ago, to cultivate a Friendship with them, (always promised us by their Leaders in Case we opposed the *Spaniards*) has been so successful as, at the Head of 300 of them, to take a Place upon the neighbouring Coast, of great Consequence, called *Carpenter's River*, inhabited by the *Spaniards*, and extremely rich. These are the Remains of the original *Indians*, Natives of the Continent, who were massacred by Thousands upon the first Invasion of the *Spaniards* under *Columbus*, &c. and who bear an inveterate Hatred, and an implacable Aversion to the Name, as, on the other Hand, the *Spaniards* do to them, still destroying them wherever they can meet with them. This Place is about 220 Leagues

‘ Leagues to the Westward of *Porto-Bello*; and being joined by 200 more *Indians*, *Hudson* is gone further Westward, with 35 Periauges, and no Doubt will make a fine Hand of it. He has taken several Hundred Weight of *Cocoa*, and a vast Sum of Money, destroying and burning all before him.’

Dispute between the Governor and People of Barbadoes.

I come now to give an Account of the other important Affairs that happened in our Plantations in *America*. Upon Governor *Byng*’s Arrival in *Barbadoes*, the Assembly of that Island settled his Establishment at 2000*l.* a Year; and upon their hearing that the *Spaniards* had taken the Ship coming from *England* with his Plate and Baggage, they made him a Present of 2500*l.* to repair his Loss; so that a good Harmony seemed to be established between him and the People, but it did not long continue; for an Assembly being called June 3d, the People’s Discontents began immediately to appear as follow: His Excellency opened the Assembly with the following Speech:

‘ Gentlemen of the Council and of the Assembly,
‘ BY calling you so soon I have made appear the Opinion I entertain of your Disposition, to do every Thing for the publick Good. The Views which I presume you have of discharging your Trust to the People, render it the less necessary for me to remind you of whatever is worthy of your Care; and the Opportunity you now have to advise together, will engage you to take such Measures as may prove most beneficial to your Country.

‘ The unhappy Condition of the poor distressed Prisoners induces me to recommend their unfortunate State to you; As Humanity itself is sufficient to remind us of their Grievance, it will no doubt raise a Tenderness and Compassion in you to make such Provision for their Ease and Relief, as the Wisdom of most Nations has judged proper in the like Cases.

‘ The Abuses daily carried on by many of the Inhabitants employing their own and other Slaves in Selling and Bartering, demand your serious Attention. A Practice owing not only to particular Defects in the Law passed for remedying that Mischief; but to a shameful

shameful Remissness in some Magistrates in the Discharge of their Duty. It is indeed a Practice so scandalous in itself, and so frequently productive of other Crimes, that I persuade myself you will provide a suitable Remedy, and restrain those Disorders that tend so much to the general Damage. Sure no Person of Fortune and Character can countenance, much less give Occasion to, such complicated Guilt.

As the fitting out of Privateers to go in quest of the Enemy may prove a Security to your Trade, and a Protection to this Colony; so, I fear, the Want of a proper Security to repair any Loss that may thereby ensue, and the Delays formerly used in the Proceedings upon Captures, are Discouragements that prevent those useful Undertakings: In such Case you will judge it necessary to think of proper Means for repairing the Damage which may happen to Adventurers; as likewise that the Charge of Condemnation of Prizes be satisfied by the Publick; and establish such other Methods, as may encourage Persons, even on the earliest Notice and emergent Occasion, to fit out Vessels for the Service of the Island.

Gentlemen of the Assembly,

The common Benefit you will receive by the immediate Repair of your Fortifications and Batteries, obliges me to remind you of their Condition, and once more call on you, to make such publick Levies as have been formerly accustomed; by which they may be the Defence rather than the Disgrace of your Country: You will thereby receive the Satisfaction of continuing that Security to your Possessions which the Wisdom of your Ancestors did provide for, and is become so necessary at this critical Juncture. Indeed your own Safety is so much concerned herein, that I doubt not of your cheerful Concurrence, in a Work that tends so much to the Honour of your Country, and the Welfare of every Individual.

This leads me to observe to you likewise, that great Complaints are made concerning the Militia of this Island. If the present Laws for settling that useful Body of Men are imperfect, you will consider of their Deficiency; and in that Case, the Legislature will surely

“ surely find a proper Remedy, and enable me to put
“ the Militia Forces in such a State, as to make them
“ serviceable to yourselves, as well as a Defence of this
“ Part of his Majesty's Dominions.

“ This Government being considerably indebted to
“ Francis Whitworth, Esq; Secretary of this Island, I
“ have, in Obedience to the express Orders received from
“ his Majesty upon his Claim, caused the Accounts to
“ be strictly examined before me in Council; and as the
“ Sum which is justly due to him is evidently owing for
“ Business of the Publick, I most earnestly recommend
“ to you the punctual Payment of the same. This De-
“ mand on the Country, enforced by Royal Authority,
“ supported by Justice, and so reasonable in it's Nature,
“ will, I am confident, persuade you to make immedieate
“ Provision for discharging it.

“ The Regard I have to publick Credit is my Mo-
“ tive to remind you, that upon no Account you make
“ it a Sacrifice. Let the Principle of Equity govern all
“ your Deliberations. If many of your publick Orders,
“ for which there is no Money applicable, remain un-
“ discharged, and a large growing Interest considerably
“ increases the Debt, your own Honour will oblige you
“ to make such Provision for paying them, as may free
“ you from that Burthen.

“ *Gentlemen of the Council and of the Assembly.*

“ It is well known, that, in this Time of War, the
“ Number of Gunners and Matrosses are to be increased
“ in every Division, according to the Appointment of
“ the Act or Statute for that Purpose, and that it is incum-
“ bent on me to issue forth Warrants to such as I shall
“ think fit to appoint, in order to be distributed in such
“ Manner as I may judge most useful for guarding and
“ securing the several Forts, Bays and Batteries in this
“ Island, from the Insults of the Enemy. The publick
“ Expences however would so much increase by my Ob-
“ servance of the Law, that I take this early Occasion of
“ signifying my Readines to grant, as far as I legally
“ may, all possible Ease to the People, and free the pub-
“ lic Treasury from any additional Demand. I will
“ therefore heartily concur in any Act that may enable
“ me to suspend the issuing forth those Warrants to a
“ more

more convenient Time. I shall esteem it a happy Circumstance to recommend myself to his Majesty by a prudent Forbearance of the Exercise of my Authority, particularly when it shall prove a Measure to procure me your good Opinion.

The remarkable Agreement which now appears among you cannot fail to render my Government easy. It is certain, nothing shall be able to move me from a steady Pursuit of the true Interest of this Colony, and from taking every Method that can establish the Happiness of a free People.'

The Address of his Majesty's Council in return to this Speech was in the usual complaisant Stile, and therefore I think it unnecessary to insert it; but his Excellency's Answer was something particular, as follows:

' Gentlemen,
I Return you my particular Thanks for this kind Address. It is the highest Satisfaction to me, that I find my Sentiments are supported by yours: Indeed, by promoting the Welfare of this Colony, by all Methods in my Power, I hope to procure the Goodwill and Esteem of all those who have truly at Heart the publick Interest.

' If there are any Persons so unnaturally inclined, as to be Enemies of the Tranquillity of this Island, who, for the Sake of a false Popularity, labour to poison the Minds of the People with unreasonable Jealousies, it shall be my Care to prevent, if possible, their plunging the Country into Difficulties that may ensue from such a wicked Conduct, and therefore I shall make no other Return to such mean Artifices, than chearfully use my sincere Endeavours for their Prosperity, with an unprejudiced, undisturbed Mind. And I will not only continue all the Marks I am capable of giving for the general Good, but convince them by fresh Proofs, that I have no other Views than the Service of his Majesty, his People, and Dominion.'

The Reason of the last Paragraph will easily appear, from the Address of the House of Representatives upon this Occasion, which was as follows:

' To

- ‘ To his Excellency the Hon. Robert Byng, Esq; Captain-General and Governor in Chief of this and all other his Majesty’s Caribbee-Islands to Windward of Guadeloupe, &c. in Council.
- ‘ The humble Address of the General Assembly of the said Island.

‘ May it please your Excellency,

‘ WHEN specious Expressions are contradicted by Actions, it cannot be presumed by impartial Persons that the same Returns can be made as might have been expected if both Words and Actions had agreed; and therefore we hope we shall be held excused for observing, that the late Instance of your Excellency’s ordering some Members of the Commissioners of the Fortifications of St. Michael’s Division to proceed upon Business not requiring the utmost Dispatch, at a Time when there was no Assembly subsisting, deprived that Branch of the legislative Body from considering of what was proposed, who by Law are appointed, and consequently ought to have had an Opportunity of being present with other Members. This more plainly discovers than your Expressions, the Opinion you then entertained of the Assembly’s Disposition to do every Thing for the publick Good. The appointing us to meet so soon after this Proceeding, gives us the Satisfaction of knowing, that whilst we subsist as an Assembly, if all the Commissioners of that Division are present, five Members cannot again be a Majority to inforce any unseasonable Orders that may be issued; and we take this Occasion to assure your Excellency, that we shall use our best Pains and Diligence to demonstrate by all our Actions the Views we have of discharging our Trust to the People, and of advising together, and doing every Thing we can think may prove most beneficial to our Country.

‘ The unhappy Condition of poor distressed Prisoners must naturally raise in every Breast a Tenderness and Compassion for their unfortunate State, and we shall be glad to contribute our Endeavours to find out and establish

establish such proper Methods as may effectually free and discharge those from their Confinement, whose Liberty may not be more dangerous to the Community than their Imprisonment is prejudicial to themselves.

Those Abuses you mention to be daily committed by Slaves being employed in selling and bartering, we apprehend might very sufficiently have been prevented, if the Laws now in Force had been duly executed; but if any Defects are in those Laws, we shall most clearly do all we can to remedy them, by inforging any other Methods we can think will better destroy so scandalous a Practice, which certainly tends greatly to the general Damage, and ought to be discouraged, even if any Person of the greatest Fortune and Character was to endeavour to countenance or give Occasion to such Abuses. But we know of no such Person, and are therefore willing to understand by your Excellency's Expression, the Vehemence with which you detest Avarice in eminent Men; and herein we must concur with you, and take the Liberty to add, that the higher Stations in which such Persons are placed, the more pernicious to the Publick is such a Temper of Mind, of more dangerous Consequence, and productive of greater Crimes, especially if the same be accompanied with mean Revenge against the Obstacles of their sordid Pursuits: And we humbly hope for your Excellency's Assitance to disountenance the Practice and prevent the Evils that may arise from such complicated Guilt.

Our worthy Speaker having prepared and laid before the late Assembly a Bill to encourage the fitting out Privateers, and to answer the other good Purposes your Excellency mentions, we propose to have the same Bill laid before us and duly considered, and we hope it will appear before you in such a Form as to engage your Assent, and prove of great Service to this Island.

We are fully sensible of the ruinous Condition of our Fortifications; and were the Circumstances of the Inhabitants sufficient to inable them to pay such publick Levies as were formerly accustomed to be raised for their Repair, we should on your first Recommen-

dation have chearfully done it; but knowing, with Concern, the Inability of the Inhabitants, and not certain that proper Persons would be appointed to take Care of our Forts and Batteries after they were well repaired, we have great Reason to believe that the doing thereof at present will tend more to the Welfare of some few Individuals than to the common Safety, the Security of our Possessions, or the Honour of our Country. Besides, if our Forts and Batteries were put into the best Repair, they would be of very little Service whilst a proper Supply of Powder was wanting, which Want might easily have been prevented, by your adhering to the Order you found established for saving the unnecessary Expence of Powder instead of renewing others, by which that small Quantity in the Magazine will soon be wasted.

When the Officers of the Militia of this Island are Persons who deserve the Love and Esteem of their Country, the Defects in the Establishment of that useful Body of Men are seldom attended with any great Inconveniences; and the late Use your Excellency has made of your Authority, shews how highly imprudent it would be in us to trust a greater Power in your Hands than what the Laws at present have allowed you. You have thought fit to displace the ablest and most experienced Officer we can boast of, who was deservedly courted to accept the highest Military Commands in this Place by his late Excellency the most Noble Lord Howe, and whose Behaviour in them has amply justified that Opinion which all the Wise and Good entertained of his Lordship's Judgment of Men's Abilities and Capacities: And to dismiss him at so critical a Juncture, when we may have the chiefest Occasion for his Courage and Conduct, is a Circumstance that little manifests your Concern for our Welfare, and will administer Cause of much juster Complaints than those you desire us to remove. The Condition to which you have reduced his Majesty's Royal Regiment of Foot-Guards by this Step, cannot be retrieved under a considerable Term, nor will proper Officers easily be obtained, if an implicit Concurrence in all Measures should become the only Tenure of their Commissions.—This is the State to which you

have

have brought one fifth Part of the Militia Forces by your unpopular Conduct; and thus you contribute your Endeavours, while you admonish us to use ours, to make them serviceable to ourselves, as well as a Defence of this Part of his Majesty's Dominions.

Before we leave this Subject we cannot help observing, that if this late Action of your Excellency was in itself disagreeable to the Community, it was likewise highly aggravated by the Opportunity you embraced of doing it at that Time the Laws of Humanity ought to have forbid the Execution of your Resentment, against a Gentleman when confined to his sick Bed by a dangerous Illness; and the general Concern for him must have made the News so publick as hardly to escape your Knowledge; and if you knew it, which we charitably hope you did not, it implied an Intention too odious to name.

The Debt which your Excellency mentions to be due from the Publick of this Island to *Francis Whitsworth, Esq;* we can by no Means think is either supported by Justice, or reasonable in it's Nature; and as two former Assemblies, on a mature Consideration of that Affair, have given very full and sufficient Reasons against the making Provision for the Payment of the Whole or any Part of the Demand, we humbly hope it will not be construed any Disobedience to the Royal Authority if we do not provide for the Payment of that which we cannot think ought to be discharged by the Publick of this Island.

We wish the Principles of Equity or Gratitude had governed the Deliberations of every Person; we shall endeavour to make them the Guide of all our Actions; to have the greatest Regard for the publick Credit, and to provide such Methods for the Discharge of Orders on the Treasury, as will prevent the Increase of the Debt by a large growing Interest.

Soon after the making the Law to which your Excellency alludes, appointing the Increase of Gunners and Matrosses in Time of War, a War was declared in this Island against *Spain*; but his Excellency *Robert Lowther, Esq;* in whose Government the Act was passed, and who therefore could best judge the Intention thereof, held himself amply dispensed, without a

‘ Law, for making that Increase; which we must believe he would not have omitted, had the Legislature designed otherways; but as a *Spanish* War was always little regarded in this Island, he deemed the Increase absolutely unnecessary: However, since the Words of the Act invest your Excellency with the Power you mention, we shall be glad to have the Publick freed from the useless additional Expence which might arise from a strict Observance of this Law.

‘ The remarkable Agreement which your Excellency observes to appear among us, subsisted at your Arrival; and we flattered ourselves that you would, by following the Example of your late *Noble* Predecessor, have endeavoured to continue that Harmony he so earnestly promoted and cultivated: But as a voluntary Settlement, attended with a liberal Present, both much exceeding what were formerly designed, and would now be given, have not proved effectual to engage you to make your Government agreeable to the People, we shall be exceeding glad to find by your future Conduct, that the true Interest of this Colony is steadily pursued; and that we entertain without Foundation those Fears, that every Method will be taken to make the Inhabitants uneasy, and to disturb the Happiness of loyal Subjects, who enjoyed the greatest Repose under the happy Administration of their late candid and good Governor, whose Actions never disagreeing with his Expressions, every Day more endeared him, and engaged a Return of Gratitude to be made, in a Manner that was believed would have induced all succeeding Governors to imitate his worthy Pattern, and thereby entitle themselves to the highest Regard and best Esteem of a free People.’

*Governor's
Death, and
Resolutions
of the House
of Representa-
tives.*

Thus a Breach was commenced between the Governor and House of Representatives of this Island, which might have proved very troublesome to both, but an End was soon put to it by the Governor's Death, which happened on the 6th of October; and the Assembly having met according to Adjournment, upon the 8th, the House of Representatives came unanimously to the following Resolutions:

‘ Resolved,

Resolved, That as many Disadvantages and Mischiefs have been found to arise by Means of Settlements made by the General Assembly on Governors, this House is now absolutely determined not to make any Settlement whatever on any future Governor, and that every Member of this present Assembly while he continues in that Trust will steadily and unalterably abide by this Resolution, notwithstanding any plausible Reasons or Pretensions that may be urged to induce him to alter the same. And this the House most earnestly recommends, and hopes all future Assemblies will strictly comply therewith.

Resolved, That an humble Address be made to his most Excellent Majesty, most humbly beseeching him to give Directions that such a Salary for the future Governors may be assigned and paid out of the Duty of four and half per Cent. arising on the Produce of this Island, as may be sufficient for their Support, and the Dignity of this Government; and most humbly to intreat his Majesty to discontinue the Instruction permitting and allowing the Assembly to make an additional Settlement on any Governor: And that an humble Representation be also made to the Right Hon. the Lords Commissioners for Trade and Plantations, praying their Lordships Endeavours to promote and get established what is implored of his Majesty.

From *Charles-Town* in *South-Carolina*, we had the following Account of a most terrible Fire there.

A most destructive Fire at *Charles-Town* in *Carolina*.

SINCE my last a most terrible Fire has happened here, which begun on *Tuesday* the 18th Inst. about 2 o'Clock in the Afternoon, in a Sadler's House, opposite to Mr. *James Crokatt's*, in the *Broad-Street*, and in four Hours, by a strong N. W. Wind, all the Houses on the *South* Side of that Street, also all the Houses on every Street from the River to *Church-street*, including both Sides of it, in a Line *South* to *Granville's* Bastion, were in a Flame, and burnt all the Wharfs and Store-houses on them, in that Part of the Town, which was the Chief for Trade; in short, except the *North* Side of *Broad-street*, and *North* End of the Bay,

the whole Trading Part of the Town is entirely destroyed, not one House left standing, Wood, Stone or Brick, all are now in Ruins; the Number great and small must be at least 300, and includes most of the best Houses in Town. Great Quantities of all Kinds of Goods are destroyed, in Particular all the Rum, Wine, and other Goods in the Cellars, all the Rice on the Keys and Store-houses, 7 or 8000 Deer-Skins, above 200 Tons of Brazileto, in general all Sorts of Goods that was on the Wharfs, and a great Part of what was in the Merchants Store-houses, &c. Many of the confused Inhabitants moved their best Effects on the Curtain Line, which was also consumed by the Sheds and Store-houses taking Fire. At the same Time many Wretches took the Opportunity to carry off in Boats, Periaguas, &c. large Quantities of Goods that are not heard of. The *Mermaid of Bristol* had put her Cargo, of 900 Barrels of Rice, on Shore to stop a Leak, which with all her Sails is burnt. Many of the Gun Carriages and Wooden Platforms on the Curtain Line, and in *Granville's Bastion*, are also burnt. In short, from one of the most flourishing Towns in America, *Charles-Town* is at once, in five Hours Time, reduced in a Manner to Ashes. The Loss of the Houses may be valued at near 100,000l. Sterl, and of Goods twice as much, if not more; but at present none can tell what the Losses are, what's saved being all in Confusion. The remaining Houses in Town are not sufficient to accommodate the Inhabitants, although two or three Families are in a House, few of whom have even saved a Bed to lie on, or any Furniture. The Commanders of the Men of War were very helpful to assist with their People; but as the Weather had been fair for many Weeks, and the Houses built mostly of Wood they took Fire like Gunpowder.—The Governor, Council and Assembly have met, and done all they can to relieve the Distressed, but (our former Misfortunes of Sickness, &c. considered) 20 Years will not retrieve us, without the kind and charitable Assistance of his Majesty, the Parliament of *Great-Britain*, and other well-disposed People. An Application from this Province to his Majesty will speedily be sent over, to implore

plore his Assistance, in this dreadful Calamity, scarce to be expressed in Words.—An Embargo is laid on all Ships for 30 Days, (as it is not known how far this Accident may encourage our Negroes and other Enemies to form some dangerous Scheme) and this Ship only allowed to sail, which brings this deplorable Advice.

His Majesty having given Orders for raising a Body of Land Forces in our Plantations upon the Continent of America, the new Levies met with extraordinary Success, particularly in New-England; for in less than three Weeks after the Captains and subaltern Officers were appointed by the Governor, three Companies of 100 Men each were compleat, and in a few Weeks after, the whole ten Companies proposed to be raised in that Province were compleat and ready to march; which shews how useful our Colonies might be to us in Time of War, if Care were taken not to allow any Slaves or black Servants to be employed in Climates, or in Business, where such Slaves are not absolutely necessary.

Land Forces
easily raised
in the Plan-
tations.

The Beginning of March last, we had an Account, that the Body of French and Indians sent from Canada, against the Southern Indians called Chicafaus, had in a fair pitched Battle been defeated by them, with the Loss of 250 Men killed on the Spot, and it was supposed that very few of the Survivors could get back to Canada. This Body by our last Accounts consisted of 300 French and 700 Indians, and passed by the Frontiers of our Colonies in the Month of June preceding *.

*French de-
feated by
Indians.*

I shall conclude my Annals of America for this Year, with the following remarkable Accident which happened to one of the New-England Whale-boats, in her Voyage on the Banks. As they were going out of the South Channel, they met with a *Sperma-Cæti* Whale, whose Action had like to have proved fatal to the poor Men; for being in their Boat, she crossed them, and by a small Stroke with her Tail cracked the Boat; while they were mending the Breach, she returned and overset them, and turning about, with her devouring Jaws crushed the Boat into fifty Pieces, and taking an Oar into her Mouth, she bit it off as an Ox would a Stalk: The

*Fishermen
in Danger
of Jonah's
Fa c.*

* See Annals for last Year, Vol. I. p. 420.

Men being in the Water, exposed to the Fury of this voracious Creature, expected every Moment when they should fall a Prey to her gaping Mouth; but through the Favour of Providence, they received no other Hurt than having some of their Clothes rent; another Boat coming up took them in one by one with much Difficulty, for while they were about it the Whale chased them, and they had several Times like to have met with the same Fate as the other Boat, but by plying their Oars as fast as possible, they made shift to escape.

The End of the first BOOK.

The ANNALS of
EUROPE, &c.

BOOK II.

Containing an Account of the most remarkable foreign OCCURRENCES in the Year 1740.

C H A P. I.

An Account of the most important Occurrences in FRANCE.

AS the French had from the Beginning of the War between Great Britain and Spain been repairing and augmenting their Navy, a Squadron was got ready at *Brest*, and another at *Toulon*, by the Beginning of *July*, and the Marquis *d'Antin* set out the 10th, N. S. for *Brest*, to take upon him the Command of that Squadron. On the 28th four Ships of that Squadron sailed, under the Command of the Chevalier *de Neufchamp*; and towards the End of *August*, the whole Squadron consisting of 18 Ships sailed from *Brest* under the Command of the Marquis *d'Antin*, but meeting with a Storm soon after their Departure, two or three of the largest Ships were so much disabled that they were obliged to return to *Brest*.

Brest and
Toulon Squadrions fail.

The

The Squadron at *Toulon* being likewise fitted out, it sailed from thence the 25th of *August*, under the Command of the Chevalier de *Roche-Allard*, and touched at *Malaga* in *Spain*, from whence it sailed the 24th of *September*, and passed the Straits the 26th. This Squadron consisted of 15 Men of War, but before it passed the Straits, upon opening new Orders, four of them were sent back to *Toulon*, and the rest proceeded upon their Voyage.

It was not at first publickly declared to what Part of the World these two Squadrons were bound, though it was generally supposed to be to the *West Indies*; but soon after the Beginning of *November*, when it was supposed they were arrived, or near being arrived at their designed Port, the following Paper was published at *Paris*, without any Title; though by the Contents it appears to be his most Christian Majesty's Manifesto upon the Sailing of these two Squadrons.

1738

Since the Departure of the *Brest* and *Toulon* Squadrions so many different Reports have been spread, especially in *England*, concerning the Motives which determined that Resolution, and concerning the Intentions of the King in the present Circumstances, that it has appeared necessary to enable the Ministers of his Majesty in foreign Courts clearly to make known the Principles of the Conduct which he has hitherto observed, and the End which he proposes.

It was not without much Pain that the King saw in 1738 the Seeds of Discord arising between *Spain* and *England*: The Opening of the Conferences at *Madrid* gave some Hopes of an Accommodation; but the unforeseen Rupture of those Conferences made it be suspected that *England* was very far from really entertaining pacifick Sentiments; and the Hostilities that the *English* Nation began in *America* before the Declaration of War could be known there, left room no longer to doubt of it's Intentions.

The King, however, thought proper to see what would be the Consequences of this War, before he took any Part in it; the Views of the *English* Nation were not yet fully manifest: It was believed that the Warmth of some Tempers had hurried it into the taking

taking of violent Measures; that it had no other Design at the Bottom than to do itself Justice for some pretended Vexations of the Spanish Guarda-Costas; and that after this first Ferment had subsided, both Sides would have fallen upon the Means of Reconciliation.

Not but that France had, on her own Part, great Causes of Complaint against England, perhaps more considerable than those which had kindled the War between the Catholick King and the King of Great Britain: Many French Ships had been stopp'd, visited, and searched, as well in Europe as in America; the Letters which these Ships had on board taken and carried away, against the Law of Nations and the Faith of Treaties, and other Violences still more remarkable, whereof Complaints have been in vain made, might have been sufficient to have excited the King to do himself Justice; but his Majesty has connived at all these Infractions, not having been at all inclined even to permit French Privateers to help in any sort to disturb the English Navigation: Still more important Subjects were necessary to overcome the Moderation of his Majesty.

The English had hitherto only made War by Sea, but they soon formed Enterprizes upon the Continent. The taking of *Porto Bello* was followed by that of *Chagres*. The Demolition of these two Forts opened the Door to their counterband Trade, to the Prejudice of the Commerce of all Nations: and their Armaments increased to such a Degree, as to give the most sensible Disquietudes about what might be the Consequence thereof.

Since that Time the Ambassador from Great Britain was told, in the Name of the King, that how patient soever France had shew'd herself in her Expectation of Satisfaction for the irregular and violent Proceedings of several English Officers, it was not to be imagined that she could look with an indifferent Eye upon the Enterprizes that the English Nation might form in America; nor that the King would suffer it to make any Settlement in the Spanish West Indies. This Declaration was made known to all the foreign Ministers who reside at the Court of France; and

‘ and was renewed as soon as it was perceived that the
‘ Preparations against *America* more evidently discovered
‘ Projects of Conquest: And the Ambassador of
‘ Great Britain not giving any Answer upon a Subject
‘ so interesting, the King judged he ought no longer
‘ to defer causing his Ships to be equipped, in order to
‘ put himself in a Condition to prevent a Danger which
‘ became every Day more than other pressing.

‘ England at length makes no longer a Mystery of
‘ her Intentions, after she thought her Measures so ef-
‘ fectually taken as to be impossible to be therein de-
‘ feated. She caused 8000 regular Troops to embark,
‘ in order to join those which she had ordered to be
‘ raised in her Colonies. The Nation, not in the least
‘ doubting of Success, foretold, as a Thing certain, the
‘ Conquest of the *Havanna*. Admiral *Vernon* formally
· declared, by his Letter of the 8th of *May* last, to the
‘ Governor of the *French* Part of the Island of *St. Do-*
‘ *mindo*, that he had Orders to take *Cartagena*; and
‘ the Manifesto sent to Lord *Cathcart* to be published
‘ in *America*, which no Pains were taken to keep pri-
‘ vate, has evidently demonstrated the Tendency of
‘ those prodigious Armaments, of which there never
‘ was the like seen.

‘ It was then that the King knew he had not a Mo-
‘ ment to lose in order to obstruct Projects, the Exe-
‘ cution whereof would destroy all the Treaties and
‘ Conventions which have been made, as well at the
‘ Congress of *Utrecht* as since the Conclusion thereof,
‘ for the Balance of the Commerce of *Europe*. His
‘ Majesty had nothing else in view than the maintaining
‘ of these Conventions. The Orders which he has
‘ given to the Marquis *d'Antin* tend solely to this End,
‘ his Majesty having very expressly enjoined him not to
‘ interrupt the lawful Commerce of the *English* Mer-
‘ chants, and to make known to all the Commanders
‘ and Governors of the *French* Colonies that such are
‘ the Intentions of his Majesty, and that they must ex-
‘ actly conform thereto.

‘ There have in the mean time some Precautions been
‘ taken on the Part of his Majesty at *Port de l'Orient*,
‘ and at *Dunkirk*, to prevent any Surprise from *Eng-*
‘ *lish* Pirates; the Insults that our Ships have undergone,
‘ even

even in the time of the strictest Impartiality of *France*, render at this time these Precautions still more necessary.

Such is, according to the most exact Truth, the Conduct which has been hitherto observed on the Part of the King, contrary to which nothing can be alledged. The Court of *London* has nevertheless manifested the sharpest Resentment to the Works pretended to be carried on at *Dunkirk*, as though *France* had failed in the solemn Engagements which she entered into at the Treaty of *Utrecht*.

It's easy to judge, after what has been suggested, on which side has been the Infraction of Treaties, whether on the Part of *France*, which has contented herself with establishing four Batteries at *Dunkirk*, without raising any Fortifications, nor making any sort of Works, declaring at the same Time that these Batteries would be destroyed as soon as Tranquillity should be established; or on the side of the Court of *London*, which no longer conceals the Project that it has formed, of invading with open Force the whole Commerce of the New World.

Towards the End of *December* we had an Account that these three Squadrons arrived at *Martinico* in *September* and *October*, but the first that sailed from *Brest* under the Command of the Chevalier de *Nafmond* met with a violent Hurricane just before they reached that Island by which the Ships were so much damaged, that it required some time to refit them; and as this Hurricane had done great Damage both at *Martinico* and *Guadaloupe*, it probably put some stop to their intended Expedition, which, whatever it was, was entirely defeated by the Storm these Squadrons met with in their Passage from *Martinico* to *Hispaniola*, and the Arrival of Sir *Chaloner Ogle's* Squadron, before they could repair their Damage; for that they had some Design in view, I am convinced of, because I cannot believe, the French would send so many Ships of War to the *West Indies* without any Design; but this Disappointment, and the Emperor's Death happening about the same time, probably made the Court of *France* alter the Measures they

Dunkirk
repaired.

they had resolved to take, with regard to the War between Spain and us.

That the French Court had some Designs against this Nation farther appears from their repairing the Fortifications of *Dunkirk*, contrary to several express Treaties; for in *August* the Duke de Boufflers was sent there with several Engineers, and a great Number of Men were immediately set to work to repair the Fortifications at the Entrance of the Port, of the Progresses of which we had the following Account from a Gentleman who arrived from thence towards the latter End of *October*, viz. ‘On the West-side of the Port, the Risbank, formerly a Fortification, is now converted into a Platform, upon which are mounted sixteen Brass Cannon of twenty-four Pounds, and two Mortar Pieces. Between the Risbank and the Town are the Remains of another Fortification, called *Fort Revers*, which is also converted into a Platform, but no Cannon mounted as yet. On the East-side of the Port over-against the Risbank is erected a new Battery, called *Fort Bourgogne*, which is almost completely finished. In a Line with *Fort Bourgogne* Eastward are two other Batteries erecting, one called *Fort Sans Terre*, the other *Fort Angoumois*; these three Batteries take their Names from the three Regiments that have principally worked upon them. There is also a Boom and Chain laid across the Harbour between the Risbank and the *Fort Bourgogne*, which is likewise defended by a small Wooden Fort now erected for that Purpose, on which are mounted four Pieces of Cannon. There are already eighty Pieces of Cannon arrived, and seventy more expected.’

As our Court had exact Information of the carrying on of these Works, the Earl of *Waldegrave*, our Minister at *Paris*, sent the following Memorial to Mr. *Amelot*, the French Secretary of State, on the 14th of *October*, viz.

‘ The underwritten Ambassador Extraordinary and Plenipotentiary of his Britannick Majesty has the Honour of representing to your Majesty, by Order of the King his Master, that as by the ninth Article of the Treaty of *Utrecht* it is expressly stipulated, that all the
 2
 Forti-

‘ Fortifications of the Town of *Dunkirk* should be demolished, the Port filled up, the Moles or Sluices which served to cleanse the Port ruined, likewise with this express Condition, that the said Fortifications, Moles, or Sluices, should never again be established; and that by the fourth Article of the Treaty of Defensive Alliance between the Crowns of *Great Britain* and *France*, and the States General of the United Provinces, it was also stipulated, that the grand Passage from the new Sluice of *Mardyke* should be destroyed, and that no Port, Harbour, Fortification, Sluice or Basin, should be made or built at *Dunkirk*, at the Sluice of *Mardyke*, or in any other Place whatsoever, within the Distance of two Leagues from the Coast; it is with extreme Surprise that his Majesty has received certain Advices, that in manifest Violation of the above Treaties, People are actually at work in repairing the Fortifications of *Dunkirk*, and particularly that there are Men employed in erecting five Batteries, in order to mount thereupon a considerable Number of Guns; that one of these Batteries is already begun upon the *Risban*, and that the others are designed to be raised on the Ealt of the Entrance of the Port.

‘ The King my Master has ordered me to lay these Facts before your Majesty, not doubting but that without Delay you will give Orders to remedy the above-mentioned Infractions of the said Treaties, and to cause the Works carrying on at *Dunkirk* to cease, that those which have already been erected be entirely destroyed, and that all Things be put in the Condition prescribed by those Treaties.

‘ This is what the King my Master promises himself, as well from the Justice of your Majesty, as from the REGARD that Powers so respectable ought always to have for the Observation of the most solemn Treaties.

‘ Sign'd,

‘ At *Paris*,
‘ 14. Oct. 1740.

WALDEGRAVE.

On the 16th Mr. Amelot wrote the following Letter to the Earl of *Waldegrave*.

SIR,

S I R,

I HAVE acquainted the King with the Letter that your Excellence did me the Honour to write to me on the 14th instant, and with the Memorial enclosed therein. His Majesty was much surprized to see the Complaints that his Britannick Majesty makes of the Orders that are supposed to have been actually given, for re-establishing the Fortifications of *Dunkirk*. Nothing can be at a greater Distance from the Truth, than the Reports which some People affect to spread upon this Subject. I assure your Excellence, that whatever is inserted in the *English News Papers*, in order to give Uneasiness about the Projects of *France*, is without any Foundation. The Port and Sluices of *Dunkirk*, the Town-Wall, and the Forts, which have been demolished pursuant to the Peace of *Utrecht*, and of the Treaty of Triple Alliance, are now in the same Condition they were in immediately after the Demolition. It is true, the King has caused four Batteries of Guns to be raised, in order to oblige the Corsairs and Privateers which infest these Seas, to keep at a due Distance from the Coast, and to secure the Inhabitants from the Insults which they were liable to from the smallest Ships: But I leave your Excellence to judge, whether this indispensable and temporary Precaution, which will cease the Moment that publick Tranquillity shall be re-established, deserves to be called a Contravention of Treaties; and whether his Majesty has not rather Reason to complain of being, from such slender Grounds, tax'd with failing in his Engagements. If after so formal an Assurance as this, which I have the Honour of making you, any Doubt should still remain with his Britannick Majesty, concerning the Works which have been reported to be carrying on at *Dunkirk*, it will be very easy to come at a Certainty therein by only sending, if he thinks fit, some Body upon the Spot. This is the Answer that the King has ordered me to make to the Letter with which your Excellence honour'd me. I am,

S I R,

Your Excellence's most humble, &c.
Sign'd, A M E L O T.

In

In Order to shew what an Extravagance French and priestly Flattery, joined together, may arrive at, I shall give the two following Harangues made to his most Christian Majesty, the first, by the Archbishop of Toulouse, on opening the Assembly of the Clergy of France, as follows, *viz.*

French Priests Flattery to their Monarch.

‘ SIRE,

‘ THE Clergy of your Kingdom always reckon in the Number of their fairest Days, those in which they are permitted to discharge that Duty which your Majesty is so many Ways entitled to.

‘ Conducted to the Foot of your Throne by the most pressing Motives, we bring that just Tribute of Gratitude which is due to your constant Zeal for the Interest of Religion, and render Homage to those august Virtues which heighten the Lustre of the most brilliant Crown in the Universe.

‘ You know, Sire, everlasting Thanks to the Eternal for it, you know that the Authority of Sovereigns is but an Emanation from *that* of God; that they are his Ministers upon Earth for the publick Good; that being accountable to him alone for the Use they make of their Power, their Independance is to them a stronger Motive of Submission to the Supreme Being; that as they reign but by him, so they cannot support themselves without him; that they draw down upon their Projects and Enterprizes the Blessings necessary for crowning them with Success, only as they are directed to the Honour of his Worship, to the Glory and Manifestation of his holy Name, to the Felicity of the People whom he has brought under their Dominion; in a Word, only in Proportion as the Greatness of Kings may cause *that* of the Master of Kings to be revered.

‘ Penetrated with these important Truths, Sire, you don’t confine the Use of them to a barren Speculation: They make an Impression on your Heart; they regulate the wise Motions of it. Hence that Goodness, that Clemency, that Love for Order, Justice and Peace, which thine in the different Operations of your Government, and set before our Eyes the most amiable

able Perfections of the Divinity, whose kind Providence is the Model of your Administration.

All these Advantages, at the same Time that they excite our Admiration, yet present us with nothing that ought to surprize us: The Wonders of your Reign, Sire, might equal our Wishes, but never could surpass our Hopes.

Abundantly blessed with the preventing Grace and Favour of Heaven; formed by Hands so fit to make us reap the Fruits of them; inspired, as it were, from above, in the Choice of a Minister who does still more Honour to your Discernment, than his Fidelity to act up to it, and his Disinterestedness and the Success of his Toils spread Glory on his Administration: Already your Majesty has felt, already *France* and *Europe* have experienced what may be effected when so many happy Dispositions center in the Heart of a great Monarch.

Forced by a just and necessary War to make your Neighbours remember that the Superiority of your Arms equals *that* of your Power, the Spirit of Moderation never abandoned you, even in the Midst of your Conquests: Possessed only with the Desire of preserving and relieving your Subjects, neither the most splendid Triumphs, nor your just Confidence in the Bravery of your Troops, ever tempted you to prefer the Glory of conquering to the pleasing Satisfaction of having no more Enemies.

Scarce have you concluded an advantageous Peace, but a new War kindles up in another Part of *Europe*. Immediately you step forth to stop it's Progress, and exert yourself like a Prince equally glorious and mighty; your Equity, your Prudence, and your Uprightness, so well known and respected every where, suggest to you Methods of Reconciliation which have their Effects: Instead of a conquering Enemy, you become the Angel of Peace: The most dear and the most opposite Interests submit to your Mediation; and a great Prince, whose House, the Rival of yours, disputed with it for a long Time the Superiority in *Europe*, finds in you, Sire, a steady and disinterested Friend, a wise and honest Umpire, who delivers him from a powerful and dangerous Enemy.

' So many Successes, in which we distinguish the Strokes of a special Providence, announce us speedily more of them not less desirable for putting the last Seal to the publick Tranquillity.

' What do I say! They announce us further Successes, which, as they more immediately concern Religion, will better answer our Wishes and our Necessities.

' Yes, Sire, raised to a Throne where Faith has always shined with a Lustre equal to that of the Throne itself, you will never forget that an Attachment to the Church, and a Pre-eminence of Zeal for it's sacred Rights, were in all Ages the most distinguishing Characteristics, and the most precious Prerogative of the most Christian Kings.

' Filled with this Idea, your Majesty will redouble your Care to extinguish the Divisions which are still the Subject of our Alarms and of the Groans of all good Christians.

' These great Principles, which in your most tender Years took so deep a Root in your Heart; the Title of eldest Son of the Church, that Title which is so glorious to you and of which you are so jealous, are so many Motives that raise our Confidence; they make us hope that after you yourself have acknowledged the Voice of the Church in the Voice of those whom *Jesus Christ* charged to teach all Nations, and to whom he promised his Assistance to the End of Time; your Vigilance and Wisdom will soon enable you to cause the same Obedience to be paid to their Decisions, of which you give us so consoling an Example.

' Heaven expects you should do for it's Glory what you have done for the Felicity of mortal Men: It has made you the Reconciler of Nations, only to enable you to become the Pacifier of the Church: To excite you thereto, her Ministers will not propose to you any remote Examples: You yourself shall be your own Model; 'tis your own Work the Honour and Perfection of which are reserved to you.

' For our Parts, in a State of Tranquillity under your Royal Protection, our sole Occupation for the future shall be to beg of the Author of all Good to crown with new Success your just and pious Designs: We shall perpetually conjure him to prolong, beyond the

usual Length, a Life so necessary to our Happiness; and your Clergy, Sire, ever inviolably attached to your Majesty, will not distinguish themselves less from the rest of your Subjects by their Fidelity to their King and their Zeal for his Glory, than by their holy and eminent Character.'

And the other by the Bishop of *Lescar*, on closing that Assembly, an Extract of which follows, *viz.*

' The first Part of your Reign has been distinguished by a Favour from Heaven, which has not been granted to any of our Kings, it having passed in the most profound Peace and Tranquillity. If when you are employed in promoting the Happiness of your People, a foreign Power, grown jealous of their Repose, and your Glory, forces you, in order to avenge the Honour of your Crown, to have Recourse to Arms, Victory, subject to your Commands, and attached to your Standards, will immediately hasten to shew the Justice of your Proceedings, in crowning all your Enterprizes with the most rapid and glorious Success. Where may you not carry your victorious Arms? And what may you not promise yourself from the Ardour and Intrepidity of your Troops?

' How captivating is the Title of Conqueror? How capable of enflaming the Heart of a young Monarch, especially one who has been always successful? Nevertheless your Majesty has rightly judged, that the Name of Father of your Subjects is still more glorious, and more desirable: You was more jealous of the amiable Quality of the one, than the swelling Title of the other, and Peace has been the Fruit of your Wisdom and Moderation.

' All *Europe* struck with Admiration, and surprized at an Example so rare and so beautiful, immediately chose you for sovereign Arbiter of all it's Differences. The wise and venerable Minister, in whom your Authority is deposited, so worthy of that great Trust, has by his Virtues raised universal Confidence. The neighbouring Nations, heretofore jealous and alarmed, and which immediately armed themselves against us upon our being ever so little successful, by a happy Change

' Change now hasten to the Foot of your Throne to wait your Decisions, and to submit thereto ; and your Court, where Thunderbolts were formerly contrived against your Enemies, is become a Place of Negotiations and Treaties, where Concord prevails, Divisions are terminated, and Tranquillity is established.'

On the 28th of September, a great Council was held at Cardinal *Fleury's*, and on the 29th at Night, the Sieur *Duval*, Commander of the Watch, was sent with a Party to the Seat of Mr. *Pecquet*, in the Province of *Brie*, where, by the King's Order, he arrested that Gentleman, seized and sealed up all his Papers, and carried him to the Prison called the Castle of *Vincennes*. As this Gentleman was first Commissary for foreign Affairs, and in great Esteem, People were extremely surprised at his being arrested, and every one expected some dangerous Plot was to be discovered ; but in a little Time he was discharged from his Confinement, and though he was dismissed his Employment, the King settled a Pension of 6000 Livres a Year upon him ; so that the Publick was never informed what he was accused of, or what Proofs appeared against him.

*Monsr Pecquet arrest-
ed.*

If the Contents of the following Letter from *Canada* be true, we may soon see the maritime Power of *France* grow formidable both in *Europe* and *America*. The Letter, which we had in *May* last, was as follows, *viz.*

' A few Years since some Gentlemen obtained Liberty from the King of *France*, to make Discoveries of Iron Mines in the Government of *Trois Riviers* in *Canada*, and being almost ruined in Pursuit of them, the King advanced the said Gentleman 20,000 £. to improve for twenty Years without Interest, and at the End of the Term to pay Interest till the Principal was paid: By the King's Generosity they have made such Progress, as to run daily 400 lb. of Iron ; and the King has sent there all Sorts of Workmen, and has built two Men of War a Year, and intends to build as many more every Year in *Quebec*.'

Improvements and Preparations in Canada.

Towards the End of last Year, there were most extraordinary Inundations throughout the whole Kingdom of *France*, especially at *Paris*, from whence we had the following Accounts of them. On the 29th of December last, a third Part of this City was supposed to be

Great Inundations in France.

under Water. Several Houses, whose Foundation is thereby weakened, tumble down ready to bury the Inhabitants in the Ruins, while the Rain, Snow, and bad Weather continues. The *Seine* has already carried from the Docks above 300,000 Livres worth of Timber and Fuel, besides other Damage which it continues to do to the Houses, Gardens, &c. and in several Places the common Sewers being so choaked that the Water can't run off, it forms Lakes three or four Foot deep. The Letters from the Country contain most melancholy Accounts of the Disasters from Inundations and other Accidents. All the Country from *Tours* to *Nantes* is as much overflowed as it was in 1711. A Part of the *Franche Comte* is drowned by the Overflowing of the *Doux* at *Besançon*, and several little Towns have been drowned by the *Rhone* and the *Seine*. In lower *Poitou* the sowed Lands are covered with six Foot Water. Upon *Christmas-day* the *Abbe de Rose*, our Archbishop's Librarian, went to a Chapel where the Records, &c. of the Diocese were, and saved them at the Risk of his Life, by being up to his Middle in Water. Part of the Town of *Loches* in the *Touraine* is washed away. The River *Oyse* has destroyed five or six Forges some Leagues from it's Source, and thrown down five Houses and a wooden Bridge at the Town of *Hyers*.

The Town of *Audely* was so full of Water, that there was no Possibility of performing Divine Service in the Churches; and they write from *Dauphiny*, that great Damage is done there by the Overflowing of the *Isere*, which had in a Manner swallowed up the City of *Grenoble*. They tell us also from *Roan*, that the Suburbs towards *Paris*, and the lower Quarters were entirely uninhabited by Reason of the Waters. Part of the Houses of *Maubert-Square* in this City is overflowed by the *Seine*, whose Waters are entered into the Church of the Great *Carmelites*, even higher than in the Year 1731. Above half of the Suburb of St. *Anthony* is drowned, as well as great Part of the Suburb of St. *Germain*, where a House fell down the 26th, being undermined by the Water, whereby two Persons were killed, and others taken alive out of the Ruins. Notwithstanding the Vigilance of our Magistrates, and their Care to prevent the fatal Effects of this Inundation, it has had terrible Consequen-

All Persons that lived upon the Bridges have been forced to turn out their Goods, and 'tis impossible to expell the Misery of the Poor, begging out of the Windows for Bread, so that Boats ply in the Streets more than Coaches. The Inundations are not less terrible in the Country. The *Lyon* Stage-coach was lost in a Flood with several Passengers, and a Post-boy was drowned in the Night. The Bridges of *Melun*, *Orléans*, and several others, have been carried away by Torrents. A great deal of Mischief has also been done by the Overflowing of the *Loire*, and upon the *Seine* and other Rivers we see Horses, Sheep, Oxen, &c. driving down the Stream, with a great deal of Timber. A Fire breaking out in several Parts of *Noyon* in *Picardy*, and the River *Oyse* swelling at the same Time, a great many Lives were lost both in the Flood and the Flames, and we hear that Lightning falling upon the Steeple of a Parish Church near *Nantes*, while the People were hearing a Sermon, the Parson had his Legs broke, four of the Audience were killed upon the Spot, and several other Persons were wounded.

Soon after the Beginning of the Year, viz. *January* 27th, died at *Chantilly* near *Paris*, in the 48th Year of his Age, the Duke of *Bourbon*, Prince of the Blood, and great Master of the King's Household, who governed France, under the present King, from the Death of the Duke of *Orléans*, till his Majesty assumed the Reins of Government, and chose Cardinal *Fleury* his Prime Minister.

Duke of
Bourbon
dies.

C H A P. II.

An Account of the Affairs of SPAIN and PORTUGAL.

ADMIRAL *Haddock* having failed to *Port Mahon*, without leaving any Squadron of Observation at *Gibraltar*, the Spaniards took the Opportunity to finish their Preparations for the sailing of their Squadron fitted out

Accounts of
the War be-
tween Spain
and Great-
Britain.

out at *Cadiz*, and accordingly that Squadron set sail the 29th of *March*. It consisted of eight Men of War from 60 to 70 Guns, one of 50, and one of 40 Guns, and two Frigats or Advice Boats of 16 Guns each; and it was given out, that the Squadron was intended directly for the *West Indies*; but instead thereof, it steered its Course directly to *Ferrol*, where it arrived the 16th of *April*; and being joined by another Squadron fitted out there, the united Squadrons, under the Command of Don *Roderigo de Torres* sailed from thence the 31st of *July*, and arrived at *Porto Rico*, after having been very much damaged, and two of the Ships lost by a Storm, the 16th of *September*; Here they careened and repaired their Damage as soon as they could, and proceeded to *Cartagena*, without attempting any thing against any of the *British Islands*; but they had the good Luck to pick up three *British Merchant Ships* in their Passage from *Ferrol* to the *West Indies*.

According to a List we had of the *Spanish maritime Force in Europe*, it consisted before the sailing of these Squadrons of the following Ships, &c.

At C A D I Z.

	Guns.	Men.	
Le St. Isidore	62	600	Don Thomas Ariaga.
La Loyale Famille	66	600	Mark Forester.
L'Asie	60	600	Iscars Ant. Collina.
Le St. Ferdinand	62	600	Ant. Castillo.
L'Andaloufie	62	600	Jean Morphi.
Le Fort	58	550	Manuel la Pax.
La Renommee	52	500	Gasper Roux.
La Galga	50	450	Joseph Soriano.
La Nueva Espagna	60	500	Julien Ariaga.
Le St. Antonio	60	500	Alexis Chatelain.
La Gregue	18	100	Francois Maldonade.
Le Jupiter	16	90	Jaques Granados.
Le Mars	16	90	Francois Villa Franca.

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B C

A T C A R T A G E N A .

	Guns.	Men.
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Le Content	64	500	Francois Oquende.
La Realla	60	500	Comes Alvares.
L'America	60	500	Jean De Luriaga.
L'Aigle	28	150	Allain la Rose.
L'Aurore	28	150	Anibal Peruche.

A T F E R R O L .

	Guns.	Men.
--	-------	------

Le St. Philippe	80	700	D. Jean Bonecha.
La Princesse	70	556	Ignace Fonegra.
La St. Anne	70	556	Jaques la Lande.
La Reine	70	556	Antonio Maroquin.
Le St. Charles	70	556	Paul Aguire.
Le St. Jaques	60	600	Jaques Doyne.
La Castile	64	600	
Le Leon	70	650	
La Guipuscoa	54	500	
L'Esperance	60	600	

A T C A D I Z .

	Guns.	Men.
--	-------	------

Le Royaliste	114	
L'Elizabeth	84	
Le Ferdinand	60	
Le Ptolome	54	
Le Xavier	54	

Besides these they had some Men of War fitted up at St. Anders; and upon their Hearing of the fitting out of Commodore Anson's Squadron from England, five of them sailed from thence for Buenos Ayres, in order to watch the Motions of Commodore Anson.

The Squadrons from Cadiz and Ferrol carried along with them to the West Indies, a great many Cannons, and a great deal of Ammunition and Provisions, together with several Regiments of regular Troops, for imp

plying and reinforcing the Garrisons of *Cartagena* and *Havanna*, the former of which Places received likewise a Supply from the French Squadrons before-mentioned; for some of their Ships, after being refitted at *Port Louis*, sailed from thence to *Cartagena*, which they would not certainly have done, if it was not to carry Supplies thither, or to bring away some of the Treasure from thence, or perhaps for both these Purposes. We were likewise told, that the small Squadron from *St. Andro* carried a Supply of Men, Ammunition and Provisions to *Buenos Ayres*, which shews what a Neglect it was in us to let these Squadrons slip away from us, or at least not to begin the War by some vigorous Attack in the West Indies; for at that time the Spaniards were every where unprovided for their Defence, as appeared from the little Resistance they made at *Porto Bello* and *Chagras*; and by their own Accounts. *Cordogena* was in so defenceless a Condition, that all the Forts at *Bocca Chica* might have been destroyed by one single Ship, according to the Report made to the Governor by those he sent to visit them the 1st of December 1739. Besides, the Spaniards were in the utmost Danger at that time of having a Rebellion against them in *Peru*, which Plot was soon after discovered, and *Cordoua* an Indian who gave himself out for a Descendant of one of the *Inca's*, and was to have been proclaimed King of *Casco*, was taken and put to Death.

The French Court, upon Complaints from *England*, that some British Ships had been taken by Spanish Privateers upon the Coasts of *France*, and even within the River of *Bourdeaux*, applied to the Court of *Spain* to prohibit these Practices, and therupon the Infant Don Philip, High Admiral of *Spain*, caused publish the following Order in the Month of February last, which
The King my august Father-in-law, being determined to observe a Neutrality in the present War between Great Britain and Spain, be it known, that all Privateers and armed Vessels of this Nation are forbid to cruise upon the Coasts, or enter into any of the Rivers belonging to his most Christian Majesty, particularly that of *Bourdeaux*, hereby declaring that all Captains

' Captains who shall act contrary to this Ordinance shall suffer Death.'

Whether the French Court were sincere in this Application, I do not know, but notwithstanding thereof, the Spanish Privateers, mostly manned by French Subjects, continued to hover upon the French Coasts, and to take British Merchant Ships even in Sight of the Ports of that Kingdom.

As the Spanish Privateers had most surprising Success, and met with very little Interruption, the Court took care to publish it as much as possible, in order to pacify the People who appeared not at all satisfied with the War; and in May a List was published at Madrid of the several British Ships taken in the Months of January, February, March and April, by which their Number amounted to 37, and the Value put upon the Ships and Cargoes was computed at 625175 Pounds, or 140639 £. 7 s. 6 d. Sterling.

The Beginning of last Year, a new Ordinance was published at Madrid, for the more strict Prohibition of Commerce with Great Britain, the Substance of which was as follows, viz.

' That it is not only forbidden to import directly into this Kingdom any of the Goods, Products, or Manufactures of Great Britain, but the Importation of British Manufactures from any Countries, or Nations; Princes in Alliance, or Neutral, where those Goods may have been sent to be dyed, amended, or otherwise altered, are likewise strictly prohibited; so that all Commerce between the Subjects of this Kingdom and those of Great Britain being absolutely forbidden, no one, of what Condition soever, shall be permitted to send any Goods or Merchandise to Great Britain, or receive any from thence, neither directly, or by Means of any Nation in Friendship or Alliance with us, or in a State of Neutrality, on Pain of Death, and Forfeiture of Effects; nor only to all such who shall act contrary to this Ordinance, but to all those as shall be aiding and assisting thereto. That this Punishment shall also extend to all those who shall sell to the English, either by Land or Sea; or trans-

port

port to *England*, *Gibraltar*, or *Port-Mahon*, any of the Products or Merchandises of *Spain*, or the *Indies*. And for the more effectual preventing the carrying on of the same Commerce, it is hereby ordered, that the several Products and Merchandises that shall hereafter be imported into any of the Ports of *Spain*, either by Natives or Foreigners, shall not be exported from thence to any foreign Parts, without Security being first given to bring or send back Certificates that the said Goods were landed at the respective Places for which they were said to be designed. That all Merchandise, which shall be imported into our Kingdom from any Nation in Amity with us, or any neutral Country must be furnished with proper Certificates, signed by our Ministers or Consuls residing in those Places, proving they were the Product and Manufacture of the Country from whence they were shipped, and not of *Great Britain*, before the Importation of them shall be admitted of. And with respect to Merchandise, which may be imported from Places where there is no Spanish Minister or Consul, they must be provided with Certificates from the Magistracy, attested by the Seal of the Place whence sent, to the same Effect, on Pain of Forfeiture of the Goods, in case of Contravention. This Ordinance not to take Effect 'till three Months after the Publication thereof.'

About the End of *August*, several Persons were arrested in *Spain*, for holding a dangerous Correspondence with *Great Britain*, particularly two Priests who were presently executed in a private Manner at *Madrid*. The Nature and Purpose of their Correspondence was not publickly declared; but it was said, they were concerned in a Design both against *Ferrol* and *Cadiz*.

During most of the Summer, the Spaniards kept a large Body of Troops in the Neighbourhood of *Gibraltar*; and the Cannon from their Fortifications near that Place made it dangerous to come in or go out, or to anchor in most Parts of that Bay; but towards the End of *August*, we were told, that their Troops, were drawn off, and not above 800 Men left near the Place. If this was true, it is surprising the Garrison made no

Attempt

Attempt to demolish those Works which so much infest the Bay of Gibraltar.

As soon as the Death of the Emperor was known in Spain, that Court, notwithstanding their Guaranty of the *Pragmatic Sanction*, declared openly their Pretensions to the Emperor's Dominions in Italy, and began to take Measures for asserting them. They founded their Pretensions on a Disposition of *Charles the Vth*, and a Convention between the Emperor *Ferdinand the IIId*, and *Philip the IIId King of Spain*; and before the End of the Year, their Troops began to file off from all Parts of the Kingdom towards *Catalonia*, in order to be embarked at *Barcelona* for *Italy*; but how they came to imagine, that the *British Squadron* then in the *Mediterranean* would give them leave to sail for *Italy*, must be left to Time to discover.

Spanish
Court set up
Pretensions
to the *Au-
strian* Do-
minions in
Italy.

In March died at Pampelona, in the 73d Year of her Age, *Mary Anne*, first Queen Dowager of Spain, and Widow of *Charles the II*. She was second Daughter of the last Elector Palatine, and Sister of the present Elector.

These are all the material Occurrences in *Spain*; and as the King of *Portugal* observed an exact neutrality in the War between *Great Britain* and *Spain*, there was nothing very remarkable happened in that Kingdom during the Course of this Year.

C H A P. III.

*The Affairs of Italy and Switzerland for
the Year 1740.*

IN my *Annals* for the preceding Year, I gave an Account of several Projects for improving Trade in the Kingdom of the two Sicilies. Among others a Resolution was taken to invite the Jews to come and settle again in that Kingdom, from whence they had been banished ever since the Year 1540; and on the 3d of February

February last his Sicilian Majesty's Proclamation for this Purpose was published, of which the following is an Extract, viz.

‘ Charles by the Grace of God, King of the two Sicilies, Jerusalem, &c. Infante of Spain, Duke of Parma, Placentia, Castro, &c. Great Hereditary Prince of Tuscany, &c. The Principles which Nature has implanted in the Hearts of Men, as well as the Divine Laws, which every one may read in the sacred Scriptures, tell us that 'tis the greatest and most indisputable Obligation of every Sovereign to exert himself with all the Zeal and Application possible for promoting the Safety, Advantage and Welfare of the People committed by Providence to his Charge. For this Reason, as we plainly see the low State and Condition to which all our dear People the Inhabitants and Subjects of our Kingdoms and Dominions in general are reduced, and that all this is owing to the Decay of Trade betwixt one City and another, as well as betwixt the *Neapolitans* in general and foreign Nations, which has been weakened and almost ruined by Incidents of every Kind, we have applied ourselves with great Care and indefatigable Attention to find out sure and effectual Remedies for reviving and restoring the Trade both foreign and domestick in all our Kingdoms and States: And as the happy Experiment which several other Catholick Princes and States have made in their Dominions has plainly convinced us that the *Jewish* Nation, which applies itself solely and entirely to Commerce, is one of the fittest Instruments to teach and instruct an uninformed People in the Arts which put Navigation in Motion, and extend the same from one Country to another, be they ever so remote: For this Reason we are determined, after the Example of other Princes, wise and zealous Catholicks, to introduce and receive the *Jewish* Nation into our Kingdoms and Dominions, to grant to all the Merchants and other Persons of that Nation now settled in the *Levantine* Provinces, or in any other Countries without Exception, the Favours, Privileges, Immunities, Franchises, Exemptions and Prerogatives hereafter mentioned, when they come to traffick and settle in our Kingdoms.’ *Thise*

These Privileges are in Substance as follows; viz.

They have Leave to settle there for the Term of 50 Years; and when 'tis expired, if they are not ordered to depart, the Licence shall be deemed to be prolonged with the same Privileges and Advantages for 50 Years more. If after the 50 Years are expired they are ordered to depart, they shall have leave to stay five Years longer in the Country to sell their Lands (for they are permitted to purchase Lands provided they are not Fiefs enjoying Jurisdiction) and to transport their Goods and Effects elsewhere; which they shall do with the same Franchises and Exemption from Gabels as they are to be free from when they bring them into the Kingdom. When there are 40 Families of this Nation in the Capital Cities of the two Kingdoms, and 20 in the Lesser, they may establish Schools there, and their Rabbies, shall have Jurisdiction over those Families in cases that are not capital, even so far as to have the Power of condemning the Guilty to Banishment. They shall, moreover, have a Judge Delegate, from whom they may appeal to the supreme Tribunal of Commerce. They shall enjoy the free Exercise of their Religion, but it shall be in a private Place, and in a House not built in the Form of a Publick Structure. They shall be permitted to have and import all Books belonging to their Ceremonies, either Printed or Manuscript, without their being subject to any other Scrutiny than being viewed by their Judge Delegate. They shall have no particular Quarters set apart in the Towns to reside in, but it shall be free for them to settle and lodge where they please; nor shall they be obliged to wear any Badge to distinguish them from the Christians. Such of them as have studied Physick, may be promoted to the Degree of Doctors in that Science, and prescribe to the Sick, either singly, or in Consultation with the Catholick Physicians, after having previously engaged themselves by Oath to acquaint the Patient, or his Kindred and Neighbours, when he is incurable, of the Danger he is in, that he may take care of his Soul. They shall be permitted to have Men or Maid-Servants that are Christian, but the former shall be at least 35 Years of Age, and the latter 23. And neither the one nor the other shall be

be permitted to lie or sit up all Night in their Master's House, without express Leave from the Bishop of the Diocels, &c.

This Regulation was violently opposed by the Ecclesiasticks, who openly preached against it from their Pulpits, and got a great Faction formed for having the Edict revoked; but some of them being sent into Banishment for their Sauciness, the rest submitted, and a great many *Jews* came to settle in that Kingdom both from *Turkey* and from several Parts of *Europe*.

Another Project was, the concluding a Peace and Treaty of Commerce with the Porte, which was this Year brought to Perfection, and the following Treaty concluded, *viz.*

Treaty of
Commerce
between
the King of
Sicily and
the Porte.

In the NAME of GOD.

WE, *Charles*, by the Grace of God, King of the two *Sicilies*, Infant of *Spain*, Duke of *Parma*, &c. declare by these Presents to all and every one, as well for our selves as for our Heirs and Successors, that, by the Will of God, there has been concluded and established between Us and the Most Serene and Most Potent Lord *Mahmud*, Son of the Emperor *Mustaffa*, of the Emperor *Mehmed*, Emperor of the *Ottomans*, by our Minister Plenipotentiary the Chevalier Don *Joseph di Faulon Finocchietti*, provided with the necessary full Powers for that Purpose, a Treaty of Peace, Commerce, Traffick, and Navigation, the Tenor of which is as follows.

Art. 1. Peace having been established, by the Will of God, between our Kingdoms and the *Ottoman Empire*, reckoning from the Date of the Ratification, in the same Manner as it is established with other Powers, such as *France*, *England*, *Holland* and *Sweden*, this Peace shall be observed, both by Sea and Land, between the Provinces, Places and Islands of our Dependance, as King of the two *Sicilies*, as likewise the Towns, Castles, Territories, and Islands of *Tuscany*, on the one Part, and the Subjects, Demesnes, Provinces, Territories and Islands subject to the *Ottoman Empire*, on the other Part. Commerce shall be free between the

the respective Subjects, and they shall be permitted to traffick with the same Freedom as is practised by the other befriended Powers, expose their Merchandise to Sale, repair the Damage they may receive by Storms or any other Accidents, and buy whatever they want, either for their Subsistence, or repairing what is necessary.

2. Our Subjects and their Vessels shall pay in all the Ports and Custom-Houses of the Ottoman Empire Three per Cent. Custom, as likewise all other Duties paid by the befriended Powers: On the other Hand, the Subjects and Vessels of the sublime Port shall pay in our Dominions the same Duties, and in the same manner as they are paid by the befriended Powers.

3. Our Minister residing at the Porte shall be permitted to establish Consuls in all the Ports and Maritime Places of the Ottoman Empire; and our said Minister shall be allowed all the Prerogatives and Franchises due to his Rank; as likewise to our Consuls, Interpreters, and those depending on them, the same Privileges that are enjoyed by the Ministers, Consuls, Interpreters and Domesticks of the other befriended Powers.

4. Our Subjects shall be treated, in regard to the Exercise of their Religion, and Pilgrimages to *Jerusalem* and other Places, in the same manner as those of the other befriended Powers. If a Merchant, or any other of our Subjects, or any Person under our Flag happens to die in any Place whatsoever in the Ottoman Empire, his Effects shall not devolve to the publick Treasury, and no Body shall be allowed, under Pretext that those Effects are without a Proprietor, to seize upon them or meddle in the Affair, but the Effects of the Deceased shall be delivered to our Minister or to our Consuls, in order to be disposed of according to the Will of the Deceased; and if he happens to die without making a Will, his Effects shall notwithstanding be delivered to our Minister or Consuls, or to the Partners of the Deceased residing in the same Place: And in case there should not be found in the Place where any of our Subjects may die, any Consul, or Partner in Trade with the Deceased, then the Judge of the Place, vulgarly called the *Cady*, shall be obliged;

according to Law, to make an Inventory of the Goods and Effects left, and deposit them in a safe Place, there to be preserved, to the End that the whole may afterwards be delivered to the Person whom our Minister at the sublime Porte shall appoint; nor shall the Cady pretend to any other Fee for this but that which is called *Resmi*: The same shall be observed towards the trading Subjects of the *Ottoman Empire*.

5. If any Law-Suit or Dispute arises with our Consuls and Interpreters, and that the Sum amounts to 4000 Aspers, the Affair shall not be brought before, nor decided by any provincial Tribunal, but shall be referred to the Decision of the sublime Porte. The Merchants and others our Subjects, or those under our Protection, who shall have any Law-Suit or Dispute with the Merchants and Subjects of the *Ottoman Porte*, whether for Sales, Purchases, or Bargains, or upon any other Account, shall be obliged to have Recourse to the Judges: If none of their Interpreters be present, the Judges shall not receive the Informations nor decide the Affair; and if the Debts or Sureties be not well and duly proved legal by authentick Bonds or Accounts, the Debtors shall not be molested for such undue Debts. If it happens that our Merchants have any Dispute amongst themselves, the same shall be enquired into and decided by our Consuls and Interpreters, according to our common Laws and Constitutions. If required, we shall proceed in the same manner in regard to the Subjects and Merchants of the *Ottoman Empire* in our Dominions.

6. The Governors and other Officers of the *Ottoman Empire* shall not imprison any of our Subjects, nor molest or insult them without Cause; and in case any of our Subjects should be imprisoned, he shall be confined to our Ministers and Consuls whenever they require it, in order to be punished according to their Deserts.

7. The *Ottoman Porte* shall be allowed to establish in our Dominions, for the Security and Tranquillity of our trading Subjects, a Procurator, vulgarly called *Sach Bender*, who shall reside in our Capital of *Messina*; and the said Subjects shall be respected and privileged as ours are in the *Ottoman Empire*.

8. The

8. The Pilots and other Persons skilled in the Art of Navigation in the respective Ports of either of the contracting Parties, shall give, as soon as required, all the necessary Assistance to Ships that have suffered by Storms; and the Merchandise, Ships, Wrecks, and all other Effects whatsoever belonging to those that have been shipwrecked, shall be configned to the nearest Consuls, that they may be afterwards restored to the Masters of those Ships.

9. The Vessels belonging to either of the two Powers shall not be constrained to transport Troops or Artillery for any Service whatsoever.

10. The Vessels of the *Ottoman Empire* shall be received in our Dominions, and treated in the same Manner as are those of all the other befriended Powers, upon Condition of performing the usual Quarantine.

11. Our Ships of War meeting those of the *Ottoman Empire* shall display their Colours and salute them with their Guns, in token of Friendship; and those of the *Ottoman Empire* shall return the Salute in the proper Form. The Merchantmen on both Sides shall also display their Streamers, and treat one another in a friendly Manner. The Ships of War of either Party that meet with Merchantmen, shall let them proceed on their Voyage, and even assist them in case of need. They may, nevertheless, send two Men in the Long-Boat on board the Merchantmen, in order to inspect the Patents and Passports, and as soon as they find them valid they shall return to their Ships without further Delay. To the End that the Validity of the Flags and Patents of the said Ships may be known, both Parties shall exhibit a Copy of the Patents sealed up, and also the Form or Figure of the Flag.

12. If any of our Subjects or Dependents embrace the *Mahometan Religion*, and make a Declaration of it before one of our Consuls or Interpreters, he shall, nevertheless, be obliged to pay his Debts; and in case it can be proved that besides his own Goods and Merchandise he has some in his Custody belonging to other Persons, he shall be obliged to consign them to our Ministers or Consuls, that they may be afterwards delivered to the Owners.

‘ 13. The Persons and Merchandise under our Protection or Flag shall not be molested, nor suffer any Damage, as long as they are not engaged in a Cruize with the *Corsairs*, Enemies to the *Ottoman Empire*, or enlisted in their Service, but they shall pass freely with their Effects. And in order to cement in the strongest Manner the Friendship just concluded, it is agreed, that in case a Vessel, provided with our Patent, or sailing under our Colours, should be taken by a *Corsair* of the *Ottoman Empire*, Endeavours shall be used to procure the Recovery of the Merchants, Subjects and Effects found on board such Vessel; and the same shall be done in regard to the Merchants and Subjects taken by the Enemy.

‘ 14. The Slaves in our Dominions and in those of the *Ottoman Porte* shall be redeemed for a reasonable and moderate Sum, or else they shall be exchanged; and, until they be redeemed or exchanged, the two respective Courts shall take care that their Masters do treat them with Humanity and Charity.

‘ 15. If any of our Subjects is taken smuggling, he shall not, upon any Pretext whatsoever, be treated otherwise, nor undergo any other Penalty than what is inflicted for such Offences on the Subjects of the other befriended Powers. Our Merchants may in their Dealings make use of what Brokers they think fit, of what Religion soever they may be; nor shall any Person, contrary to Custom, intrude himself by Force upon the Merchants; and whosoever presumes to intrude himself in that Manner shall be severely punished. Our Vessels going to the *Levant*, the Ports of the *Dardanels*, and others in the *Ottoman Empire*, shall be visited in the same Manner as those of the befriended Powers, and not otherwise.

‘ 16. On our Part, we will not suffer the Vessels of the *Ottoman Empire* to be pursued or molested in Sight of the Coasts of our Dominions: In like manner the Vessels of the *Ottoman Empire* shall not molest the Vessels of our Friends in Sight of our Coasts. This Article shall be communicated to our Friends, and in case they declare they are satisfied with it, we will impart to the sublime Porte, in Writing, the Form that shall be agreed upon on this Occasion.

‘ 17. The

17. The sublime Porte shall strictly forbid any of her Subjects, particularly those of *Dulcigno, Albania,* or others, going out upon a Cruize, to commit any Hostilities against our Ships and Vessels, which, on the contrary, shall be received as Friends in their Ports and Countries, where all the Assistance shall be given them that is usually given to the other friendly Powers: And those Nations shall be permitted to go to and from our Dominions and Trade with our Subjects. Whosoever infringes this Article shall be punished, and all Injuries and Damages shall be repaired on both Sides, as is practised between the other Powers befriended: If, contrary to the Orders of the Ottoman Empire, any of its Subjects molest ours by cruizing upon them, it shall be lawful to chastise the Offenders on the High Seas, without Prejudice to the Articles of this Treaty: The Vessels of the Ottoman Empire are allowed to do the same.

18. The sublime Port shall communicate the present Articles to the Regencies of *Algiers, Tripoli* and *Tunis*, and do what is necessary for settling a free Trade and Navigation with our Kingdoms; and for this Purpose a Minister shall be sent thither from the Porte, and another from the two *Sicilies*, who shall treat together on the Plan of the present Articles.

18. No foreign Vessels shall be suffered to be fitted up for War in the respective Ports of our Dominions and the *Ottoman* Porte, nor shall such as may be found there under an Enemy's Colours be permitted to molest the Vessels of the contracting Powers, to which, on the contrary, all manner of Assistance shall be given, and Care shall be taken not to let the Ships of War stir out of Port until 24 Hours after the Vessel of the one or the other Party are sailed from thence: And in case the Enemy should take any Vessel by Stratagem, without a Possibility of giving it Assistance, the Fault shall not be imputed to that Power in whose Port such a Thing may happen. Moreover, no Merchantman belonging to the contracting Powers shall be allowed to take up a Commission or serve under an Enemy's Colours. In case any of those Vessels happens to be taken, the Commander shall be hanged at the Yard-Arm of his Vessel, as a Warning to others, the Ship and

and Cargo shall be deemed a legal Prize, and the Crew made Slaves.

Neither of the two contracting Powers shall grant Commissions but to their own Subjects, or those settled in their Dominions.

19. It shall be lawful for our Ministers and Consuls to exact the usual Tax for the Consul on all Goods that pay Custom, and are brought over under our Colours, in the same Manner as it is levied by the other befriended Powers; and our Subjects shall not be hindered from taking in Goods on board their Vessels, Gunpowder, Arms, and other contraband Goods excepted.

20. Sales and Purchases of Goods shall be made by our Subjects, and those under our Protection, in the same Specie made use of by the other befriended Powers; They shall not be obliged to make use of other Coins besides those that are generally current; and no Duty shall be exacted for the Coin they bring with them, but that which is usually paid.

21. No Ship laden and ready to set sail shall be stopped for any Action entered, but the Dispute shall be terminated and decided without Delay by the Consul.

Our Subjects, whether married or unmarried, shall not be bound to pay the Impost called *Carache*, nor any other. In case any Murder be committed, none of our Subjects, behaving dutifully, shall be molested on that Occasion, unless, according to the Rigour of the Laws, it be proved that they were guilty of the Crime.

In fine, our Subjects shall be used, in all the Cases expressed or not expressed in this Treaty, in the same Manner as is practised in regard to the other befriended Powers: And if the two Parties think proper, for their mutual Advantage, to subjoin to the present Articles any others which they may judge useful or necessary, they may propose them, in order to treat in Consequence thereof and add them to this Treaty.

CONCLUSION.

The Conditions set forth in the present Treaty of Peace between Us and the Most Serene and Most Potent Emperor of the Ottomans, shall be inviolably observed;

served; and in order to put an End to Hostilities between the Subjects and Inhabitants on both Sides, from this Day forth and without Delay it shall begin to be published in the respective Dominions: And until the present Treaty be ratified, the Subjects of both Powers shall not pretend to be any way indemnified for the Captures made during that Time. The present Treaty between the two contracting Powers shall be ratified within the Term of four Months, or sooner if possible: And if we can prevent the Vessels of *Malta*, those of the Pope, *Genoa*, and the Inquisition of *Spain* with his Catholick Majestys Commissions, from cruising in the *Archipelago*, we will send Notice of it in Writing to the Porte, to the End that she may take her Measures accordingly. This Article shall likewise be inserted in this Treaty.

In Witness whereof, we the Chevalier Don *Joseph di Faulon Finochietti*, Minister Plenipotentiary from his Sicilian Majestys, have signed with our own Hand and sealed with our Seal the present Treaty or Instrument, containing one and twenty Articles and that of the Conclusion, in the *Italian Language*, and have exchanged it against another like it in the *Turkish Language*, also signed and sealed with the Seal of his Highness the Grand Vizir *Hudgi Mohamed Bashaw*.

*The Chevalier Don JOSEPH
di FAULON FINOCHIETTI, Minister Plenipotentiary from his Sicilian Majestys.*

A like Treaty was concluded with the Regency of *Tripoli*, by the Recommendation of the Grand Seignior, but notwithstanding his Recommendation the *Algerines* refused to conclude any Treaty of Peace or Commerce with the *Sicilians*, without which these last cannot securely carry on any Trade to the *Levant*, or to any Part of *Africa*.

His Sicilian Majestys having given the Colonel of the Irish Regiment of *Limerick*, now called his Majestys own Regiment, the Privilege of appointing his own Officers, subject to his Majestys Approbation, the

A Colonel justly thought not legally put to death by his Officers.

lonel preferred his Nephew, in *March* last, to be Major of the Regiment, in Prejudice to several Officers who were in Rank prior to him; whereupon two of these Officers took Occasion to way-lay the Colonel in the Streets of *Naples* in the Night Time, and shot him, of which Wound he died two Days after. The two Officers fled directly to a Monastery; and the Court was, not a little, difficulted, what should be done with them, not only on Account of the Privileges of the Sanctuary, but also on Account of it's being generally thought, the Colonel deserved what he met with. However it was at last resolved to punish them, whereupon they were taken from the Sanctuary, and about the End of *May* were both executed; but as one of them had a Wife and Family, the King granted his Wife and Daughter a Pension of 14 Ducats per Month each, and made his Son a Cadet in the Army. Though these two poor Gentlemen suffered for doing themselves Justice, the following of their Example would be of Service to all the regular Armies in *Europe*, because it would prevent Preferments in the Army, from being made the Reward of scandalous or criminal Services, which is too often the Case in all regular Armies.

An Earthquake in Sicily.

On the 5th of *March* in the Evening, a violent Shock of an Earthquake was felt at *Salemi*, a Town not far from *Palermo*. Some Capuchins of that Place at the same Time heard a great Noise under their Convent. The next Morning they caused Masons to examine whether the House had received any Damage, who, after searching, assured them, that they perceived nothing which threatened Ruin. The Capuchins frightened however with what had happened, passed the next Night in the Church, and at five o'Clock in the Morning they heard the same Noise as before, whereupon they ran in the greatest Consternation into a neighbouring Field; where they were scarcely arrived, before they heard a dreadful Crack, and at the same Time saw their Convent overturned, and, with the Garden which belonged to it, buried in the Earth, no other Footsteps of either remaining, but the Appearance above Ground of the Tops of two Cypress-Trees.

The Beginning of this Year, viz. *January* the 29th, old Pope, and Election the Pope died at *Rome* in the 88th Year of his Age, and of another.

10th of his Papacy. On the 4th of February, his funeral Obsequies were begun, when five Cardinals in black Capes gave the Absolution, and sprinkled holy Water and Incense round a magnificent Bed of State, that was raised in St. Peter's Church, and illuminated with a thousand Pounds Weight of Wax Candles and Torches. On the 6th, the Pope's Funeral Oration was made by M. Piccolomini before the Sacred College: And next Day Signior Allemani, a Native of Mount Lebanon and Head-Keeper of the Vatican Library, made a Latin Oration *pro eligendo Pontifice*; i. e. for choosing a Pope, which was no sooner ended but 25 Cardinals went to the Conclave guarded by 2 Swiss and 2 Light-Horsemen, the Chevalier de St. George and his two Sons being Spectators of the Procession from a Balcony. The same Afternoon 11 other Cardinals repair'd thither, and in the Evening 16 more, in which Number was Cardinal Cossia, who went in the Coach of Cardinal Acquaviva the Spanish Minister, and was invited by the Sacred College, who sent their Secretary and Master of the Ceremonies to him for that Purpose, without mentioning what had pass'd. After the Sacred College had entered Sixtus's Chapel, Cardinal Ottoboni, the Dean, read the Collect, *Deus qui corda fidantium, &c.* and then he exhorted the Cardinals to provide the Church with a Head that was worthy to be Vicar of Jesus Christ. After this, Colonna was sworn Majordomo and Governor of the Conclave; and then several of the Cardinals, who were return'd in the mean Time to their Palaces, came back and lay in the Conclave, which was shut up at 9 o'Clock at Night. Till that Hour all the Prelates and Nobility, in their Habits of Ceremony, went and visited the Cardinals in their Cells.

The following is a List of the whole Sacred College with the Dates of their Creation, and the Names of their respective Countries.

Cardinal Bishops.

1689. Ottoboni, the Dean, a Venetian.

1706. Ruffo, the Sub-dean, a Neapolitan.

1711. Albani, the Chamberlain, of Urbino.

1712. Picus of Mirandola.

Corradini, of Sezza in the Pope's Territory.

1724. Alieri, jun. of Rome.

Cardinal

Cardinal Priests.

1712. *De Rohan*, a Frenchman.
D'Acunha, a Portuguese.
De Polignac, a Frenchman.
1713. *Odescalchi*, a Milanese.
De Schonborn, a German.
1717. *Albertoni*, of Piacenza.
1719. *De Gesuores*, a Frenchman.
De Bossu, a Fleming.
Belluga, a Spaniard.
1724. *Petra*, a Neapolitan.
1725. *Coscia*, a Neapolitan.
1726. *De Fleury*, a Frenchman.
Querini, a Venetian.
Lercari, a Genoese.
Lambertini, a Bolagnese.
Fini, a Neapolitan.
1727. *Collonitz*, a German.
Sintzendorf, a German.
De Motta, a Portuguese.
1728. *Gotti*, a Bolagnese.
Porzia, of Frioul.
Caraffa, a Neapolitan.
Accerboni, of Spoleto.
1729. *Cibo*, of Massa-carrara.
Borghese, a Roman.
Ferrario, of Nice.
1730. *Maselli*, of Monte Pulciano.
1731. *Biebi*, of Sinnna.
Firrau, a Neapolitan.
Gentile, a Roman.
Guadagni, of Florence.
1732. *Acquaviva*, a Neapolitan.
1733. *Riviera*, of Urbino.
Passari, a Neapolitan.
1734. *Aldobrandini*, a Bolagnese.
Cenci, a Roman.
Pieri, of Sienna.
1735. *Spinelli*, a Neapolitan.
1737. *D'Almada*, a Portuguese.
D'Auvergne, a Frenchman,
De Lamberg, a German.

1737. D.

1737. *De Molina*, a Spaniard.
Lipsky, a Polander.
1738. *Delci*, of Sienna.
Passonei, of Toffonbrone in the Pope's Territory.
Valenti Gonzague, of Mantua.

Cardinal Deacons.

1690. *Altieri*, the elder, a Roman.
1715. *Marini*, a Genoese.
1721. *Alexander Albani*, of Urbino.
1725. *Del Giudice*, a Neapolitan.
1730. *Corfini*, a Florentine.
Ruspoli, a Roman.
1732. *Mosca*, of Pesaro in the Pope's Territory.
1733. *Spinola*, a Genoese.
1734. *Landfredini*, a Florentine.
1735. *Don Lewis*, Infante of Spain.
1737. *Rezzonico*, a Venetian.
1739. *Stampa*, a Milanese.
De Tencin, a Frenchman.
Coria, a Roman.
Colonna, a Roman.
Sacripanti, of Narni in the Pope's Territory.

In all 68 Cardinals; of whom 50 are *Italians*, 6 *French*, 4 *Germans*, 3 *Spaniards*, 3 *Portuguese*, 1 *Fleming*, and 1 *Polander*.

Though the *Romish* Priests pretend, that their Pope is always chosen by the Inspiration and Direction of the Holy Ghost, yet the Cardinals were no sooner entered the Conclave than two Parties sprung up among them, for as the *Emperor*, the King of *France*, and the King of *Spain* had united their Interests upon this Occasion, which never, I believe, happened before, they thought to have got the Nomination of a Pope into their Hands, and had all agreed to raise *Cardinal Aldrovandi* to the Papal Chair; but a great Number of the *Italian* Cardinals having united together, under the Name of the *Zealots*, because they resolved to oppose the Influence of crowned Heads, and pretended that the Election ought to be free from any Sort of Influence but that of the Holy Ghost; and these last consisting of more than one third of the Number present, they prevented the

Election

Election of any one till *August 17th*, when Cardinal *Prosper Lambertini* was chosen, an Account of which, and of his new Holiness's Family we had in the following Letter from *Rome*, dated *August 17th*, N. S.

' The Conclave is at last broke up, the Election of
' Cardinal *Lambertini* has been declared to the People.
' All the World is surprized on this Occasion, no body
' expecting that Cardinal would have been chosen, be-
' cause he never had been proposed to the Conclave.
' The Thing is looked upon as a Medium to content
' both Parties. The Zealots were resolutely bent not
' to give out, and the other Party were as firmly resolv-
' ed not to abandon Cardinal *Aldrovandi*. Matters were
' thus in Suspence when that Cardinal gained another
' Voice in the Scrutiny of the 12th Inst. which was
' thought to be that of Cardinal *Rezzonico*, so that he
' wanted but one Vote more; and the 13th, 14th and
' 15th his Party made their utmost Efforts to get it, but
' in vain; for the Zealots found Means to bring over
' again to their Side the Member who had deserted them.
' The 16th was spent in negotiating on both Sides, as
' was also the best Part of the Night. At last it pleased
' God to order Matters so that Cardinal *Lambertini* had
' this Morning the 34 Votes necessary for being chosen
' Pope; upon which all the Cardinals saluted him in
' that Quality. At first he desired to be dispensed with
' from accepting that Dignity, alledging that he was too
' weak to support the Weight of it; but at last he yield-
' ed to the Sollicitations of his Collegues, who repre-
' sented to him, that his Refusal would be resisting the
' Decree of Providence.

' The *Lambertini* Family, of which *Benedict XIVth* is issued, has always been considered as one of
' the most illustrious in the State of *Bologna*. It is allied
' to the greatest Families in the Ecclesiastical State, as
' well as other States of *Italy*. The new Pope, while
' Archbishop of *Bologna*, gained the Love of all the
' People, by his Affability, his Charity, and his Disin-
' terestedness. He has composed several theological
' Pieces, which are in great Esteem on Account of the
' Moderation and Candour which are found in them;
' and those Qualities make us think that his Pontificate
will

will be happy and pacifick. As he is no more than 64 or 65 Years of Age, and is of a strong Constitution, we flatter ourselves he will reign long enough to apply a Remedy to the Calamities of the Ecclesiastick State. His Way of thinking about the controverted Points of Religion, leaves us no Room to doubt of his employing his Papal Care in healing the Divisions of the Church. *Nepotism*, which is so much cried out against, is a Thing which is not to be apprehended under the present Pope, for he has no Relations to promote. He has taken the Name of *Benedict XIV.* to shew his Veneration for the Memory of *Benedict XIII.* who raised him to the Purple.'

The Subjects of the Bishop of *Basil*, Prince of *Porentru*, having made a Shew of submitting, upon their being threatened with *French Troops*, as mentioned in the *Annals* for last Year, the March of those Troops was put off for some Time, but those poor People not having made such a Submission as was satisfactory to their prelatical Prince, a Detachment of 1500 Horse-Grenadiers, belonging to the Garrison of *Hunninguen*, marched from thence on the 14th of April last, and entered the Territory of *Porentru* on the 26th; whereupon a great many of the Mal-contents with their two Chiefs fled out of the Country, and the rest submitted to every Thing desired of them; but even this would not satisfy the Prelate, for many of them were taken, the Houses of such as absconded plundered, three of the Chiefs beheaded, several others hanged, three condemned to perpetual Slavery in the *French Galleys*, and many others banished; all which the *Swiss Cantons* submitted to, I suppose, because the Circumstances of *Europe* were then such that they durst not resent this Behaviour in his most Christian Majesty, who seemed to act in this Affair as if he had been Sovereign of *Switzerland*.

Bishop of
Basil tyran-
nizes over
his Subjects
by the Help
of France.

C H A P. IV.

An Account of the most important Occurrences in GERMANY.

*Emperor's
Death.*

AS the Emperor's Death is the Affair of the greatest Importance that happened this Year in Germany, I must therefore, according to the Method I have resolved to pursue, begin with it, and the Consequences that ensued thereupon. About the Beginning of *Ottobr*, the Emperor being a little out of Order, the Imperial Court went on the 5th to *Halbrun*. That and the next Day the Weather was very fine. On the 7th began a severe Frost. On the 8th in the Morning the Earth was covered with Snow: The Emperor however went at Noon to hunt, and staid abroad till six in the Evening: That Night was so cold, as to kill the Vines in that Country. On the 9th the Emperor was indisposed. The 10th and 11th he continued out of Order: Yet he hunted on the 10th, and would have done so the 11th and 12th, had not the Weather been extremely rigorous: He went however on the 12th to his Stud, and staid there in the Cold for three Hours; by all which his Disorder was increased. On the 13th he resolved to return to the *Favorita*, though the Weather still continued very sharp; and at his Arrival there in the Evening was feverish: That Night, and the 14th, he had some Ease; but on the 15th his Distemper became violent. In the Evening his Ministers were near two Hours with him, and he signed several Papers. The same Night he was blooded twice in the Foot, which gave him some Relief; but on the 16th and 17th he grew worse and worse. On the 18th he took the Sacrament publickly at Noon; the 19th, at two in the Morning, he received the Extreme Unction; and at half an Hour after one o'Clock the next Morning he expired.

At

At six the same Morning it was publickly declared that the Emperor was dead, and the Arch-Duchess *Maria Theresa*, his eldest Daughter, Consort to the Great Duke of *Tuscany*, was proclaimed Queen of *Hungary* and *Bohemia*, Arch-Duchess of *Austria*, and Sovereign Princess of all the Provinces and hereditary Countries of the late Emperor, according to the Settlement made by the *Pragmatick Sanction*.

His eldest
Daughter
proclaimed
Queen of
Hungary,
&c.

The first Thing done by the young Queen was, to give Orders for completing all the Regiments in her Service, and to put them upon the same Footing as in Time of War. At the same Time the States of *Hungary*, *Bohemia*, *Austria*, &c. were summoned to meet; and in a few Days after, her Majesty by a publick Act declared the Grand Duke her Husband a Partner with her in the Regency, in order to enable her to support so great a Burthen. On the 1st of December the States of *Austria* assembled, and soon after the States of *Bohemia*, according to their Summons, both of whom acknowledged her Majesty as their Sovereign, and granted her all the Supplies she desired. Moreover the States of *Bohemia* agreed to lend her 500000 Florins at 5 per Cent. Interest, and not only the Clergy but several private Persons agreed to lend her large Sums of Money at the same Interest, in order to enable her to support her Right against all Pretenders whatsoever, though at first she appeared to be in no Danger, if one were to judge from the Professions of Princes; for upon her notifying the Death of the Emperor, and her Accession to the Throne of *Hungary*, &c. to the Princes of the Empire, and the several Princes and States of Europe, she was acknowledged as Queen of *Hungary*, &c. by most of them, especially by *France* and *Prussia*, both of whom not only acknowledged her Titles, but declared that they would inviolably and faithfully observe their Engagements with Regard to the *Pragmatick Sanction*; and farther the King of *Prussia* offered to lend her a Body of Troops, in Case she should be attacked by any of the Pretenders to the *Austrian Dominions*.

The Elector of *Bavaria*, however, declared immediately his Resolution to dispute the Succession, and therefore sent back the Letter of Notification which the Queen of *Hungary* sent to him, declaring at the same

Elector of
Bavaria dis-
putes her
Title.

tame Time, that he could not acknowledge her, or receive any Letters from her as Queen of *Hungary* or *Böhemia*; and his Minister at *Vienna*, after having notified his Master's Pretensions, departed from thence without taking Leave; but before his Departure he delivered the following Protest to some of the Ministers at *Vienna*, viz.

• THE Elector of *Bavaria*, in Conjunction with some other States of the Empire, has demonstrated how attentive he has been to maintain his Rights, since his late Imperial and Royal Majesty of Glorious Memory demanded of the Empire in 1731, the Guaranty of the *Austrian Pragmatick Sanction*, and of the Order of the Succession thereby established in his Archiducal Family. The Acts of the Empire are a Proof of his Electoral Highness's Care in this Respect.

• The Empire had some general Matters of Consideration upon this Subject, in which his Security was concerned, and which made it incumbent on him to prevent the Dangers to which both might be exposed. To these Considerations were added the Rights acquired by the Elector of *Bavaria*, both in modern and more distant Times; Rights founded on particular Dispositions, as well to the Hereditary Countries of the House of *Austria*, as to great Part of the ancient Patrimony of the Ducal House of *Bavaria*, in Case of the Extinction of the Male Branch of the Archiducal House of *Austria*. His Electoral Highness being constant to his Principles, thought himself obliged from the Time that the Guaranty of the Pragmatick Sanction was proposed to the Empire, to neglect no Opportunity to secure himself and his Family against the Prejudices that might result from the Acceptance of the said Guaranty.

• No body can be ignorant, that the Facts, Oaths, Acceptations, or the respective Renunciations, which the Electress of *Bavaria* made before her Marriage, and which the Elector her Husband had confirmed, neither give nor can give any Weight to the Pragmatick Sanction; and the bare Perusal of those Pieces is sufficient to establish this Truth. The Electress, in Quality of an Imperial Royal, and Archiducal Princess,

cess, has only renounced, and could only renounce, the Rights derived to her as Archduchess of *Austria*. She could not renounce those particular Rights which were acquired before-hand to the House of *Bavaria*, as is already said, and of which there was not the least mention made at that Princess's Marriage. The Elector therefore might without the least Inconvenience confirm those Renunciations, because they had no Manner of Influence over that Prince's Rights, and Provision had already been made in another Way for his Electoral Family. The Consent of all the House of *Bavaria* might have been necessary upon this Occasion; but no Thought was conceived of obtaining it, because the particular Rights of that Family could not suffer any Prejudice by this Marriage.

Though this was the Constitution of Things, yet we have heard that the most Serene Princess, eldest Daughter of his late Imperial Majesty, *Mary Theresa*, born Archduchess of *Austria*, the Great Duchess of *Tuscany*, and Wife of the Duke of *Lorrain*, assuming the Title of Hereditary Princess, has at the same Time taken upon her the Regency of all the Hereditary Kingdoms and Countries of the House of *Austria*; that under this Title she has confirmed all the Privy Counsellors, and all those that have Employments at Court, or in the City of *Vienna*; that moreover she has received an Oath of Allegiance from them, and that the States of the Hereditary Countries have been summoned to come and pay Homage to her as their Sovereign.

These Dispositions clearly prove, that the most Serene Archduchess *Maria Theresa*, according to the Order of Succession established by the Pragmatick Sanction, challenges to herself the Possession of all the Kingdoms and Dominions of the Imperial Succession: An Enterprize of this Nature is so contrary to the Rights of the Elector of *Bavaria*, that 'tis not possible for him to look upon it with Indifference, notwithstanding the Esteem and Affection which he has, and always shall retain for the most Serene Archduchess. He finds himself therefore under an Obligation to take the necessary Measures to divert that Prejudice from his Electoral Family, and he does it

with the more Justice, because his late Imperial and Royal Majesty, in the Decree of the Commission which he sent to the Diet, took Care to declare therein expressly, That *the Guaranty which he demanded of the Imperial Pragmatic should not cause or do any Prejudice to any Person whatsoever.* And probably 'twas this Proviso which engaged some of the States of the Empire to undertake the said Guaranty.

The Elector of *Bavaria* being determined by Motives so powerful, finds himself indispensably obliged to protest in the most solemn Manner against such Enterprizes, so premature, illegal, and prejudicial to his Rights, reserving to himself, without any Restriction, and in the best Form that is possible, the Maintenance of the said Rights, and those of his Family. And to the End that the Publick may be justly informed of their Nature, a Deduction is actually preparing, in which they shall be set forth at large.

Done at Munich, Nov. 3, 1740.

This Protest was accompanied with the following Memorial, which more fully explains his Electoral Highness's Pretensions, *viz.*

THE Emperor *Ferdinand I.* who made his Will in the Year 1543, being then King of the Romans, having married in 1546 the Archduchess *Anne*, his Daughter, to Duke *Albert of Bavaria*, Son of Duke *William*, the following Clause was inserted in the Marriage Contract.

That that Princess, in Consideration of the Dowry promised her, should renounce, in due Form, all paternal and maternal Inheritance, with this Reserve nevertheless, that if the Male Descendants of the House of *Austria*, not only those of *Ferdinand I.* but also those of his Brother the Emperor *Charles V.* should fail and the Succession devolve to the Daughters, the said Archduchess *Anne* and her Heirs should be admitted to inherit all that they might in Right pretend to, as well in Regard to the Kingdom of *Hungary* and the Provinces depending on it, as in Regard to the Principalities and Dominions of the House of *Austria*. In

‘ In the same Place it is likewise stipulated, “ That in Regard to the Kingdom of *Bohemia*, Dominions incorporated with it or depending on it, and all the moveable and immoveable Effects of the Queen of the *Romans*, of *Hungary* and *Bohemia*, Consort of Duke *William*, then possessed or to be hereafter possessed by the said Duke, his Sons and their Male Heirs, the Archduchess *Anne* should not renounce them but in Favour of the lawful Male Issue of the House of *Austria*; so that in Failure of them, the said Archduchess *Anne* and her Issue shall inherit all they may legally pretend to, in the same Manner as if no such Renunciation had been made.”

‘ Besides, the Archduchess *Anne*, in the Act of Renunciation signed the 5th of July 1546, expresses herself thus: “ If the King of the *Romans*, our dear Father and Lord, as likewise our dear Brothers and their Male Heirs, should happen to die without leaving any legitimate Male Issue, our Hereditary Right of Succession and our Pretensions to the Kingdom of *Bohemia* shall be preserved to us entire; so that we shall be free to inherit all that we have a Right to inherit.”

‘ The Emperor *Ferdinand*, who then had three Sons and six Daughters living, instituted them his Heirs, according as God, Nature, and all the Laws prescribe; but nevertheless in such a Manner that the Archduke *Maximilian*, as the eldest, should succeed after him to the Kingdoms of *Hungary* and *Bohemia*, and that in Case he died without lawful Issue the Succession should devolve to the Archduke *Ferdinand*, and in Failure of the latter to the first born Male of each Son.

‘ Moreover, this Emperor exhorts his Sons in the same Will not to divide the Archduchy of *Austria*, but preserve it entire as it was.

‘ Pursuant to this Order of Succession the Emperor *Maximilian* had for Successors *Rodolphus* and *Matthias*, his two Sons, to whom *Ferdinand II.* Son of the Archduke *Charles* of *Spiria*, succeeded immediately after, to the Exclusion of the Archduchesses. Undoubtedly the Emperor *Ferdinand I.* by the Term lawful Descendants could mean nothing but the Male Descendants. If by *lawful Descendants* he meant to

comprehend the Women, it could not have been possible for the other Archdukes and their Male Issue to attain to the Succession, as long as there was any lawful Issue of the Daughters of *Maximilian*.

The Copy of the Will of *Ferdinand I.* delivered at Vienna, furnishes another Proof that the Male Line is comprehended under the Denomination of *lawful Descendants*, since that Prince makes Use of the following Expressions in another Article: "All our hereditary Dominions of *Austria*, Fiefs or Allodial Estates, with the Artillery and Ammunition, shall be transferred hereditarily, after the Extinction of our lawful Male Issue, to the Emperor *Charles V.* our Brother, and to his Male Heirs, who shall be the sole and only Ones; in Consideration of which his Imperial Majesty and his Male Descendants shall be bound to give to our Daughters the Dowry which has been agreed upon, and moreover to those who shall be living, the Sum of 300,000 Florins; not including therein such Daughters of ours, who shall succeed to our Kingdoms, and possess the same."

By another Clause of this Will *Ferdinand I.* says, "If our Wife and all our Sons should die, without lawful Issue, one of our Daughters shall succeed, in Quality of lawful Heiress to the Kingdoms of Hungary and Bohemia." In the Codicil which that Emperor made the 4th of February 1547, he confirms this Disposition, and expressly declares, that in the above-said Case, "The Kingdoms of Hungary and Bohemia shall be the Inheritance of the eldest of his Daughters who shall then be living." If that Prince, by the Terms of *lawful Descendants*, had meant the Males indiscriminately with the Females, it would have been needless to call one of his Daughters to the Succession, since the Succession would have devolved to her without the least Difficulty, after the total Extinction of the *Austrian* Branch in both Sexes. *Ferdinand I.* has therefore proved by this Explanation, and by substituting one of his Daughters, that in Default of Male Descendants, he called to the Succession no other Daughters but his own.

That Codicil having been made the 4th of February 1547, which was about a Year after the Marriage Contract,

Contract, it is plain that by the Alteration, *viz.* one of our Daughters, into the eldest of our Daughters, Ferdinand had in his View his Daughter Anne, married into the House of Bavaria, and who by the Death of her Sister Elizabeth was then the eldest, as the like-wife was at the Death of her Father. The Renunciation made by her was only in Favour of the Male Issue of the Austrian Branch, since an express Reservation was therein made, "That in Default of Male Issue of Ferdinand I. and Charles V. the hereditary Right and the Pretensions of that Prince to the Kingdom of Bohemia, and its Dependencies, should be reserved to her entire, as well as to her Heirs and Descendants, in the same Manner as they had been reserved before."

Ferdinand I. in the Sequel of the Testament, exhorts the States and Subjects of the Kingdom of Bohemia, in Case of the Succession's becoming vacant, not to acknowledge or receive any other but one of his Daughters for Heiress and Sovereign, and to pay her due Obedience. The Extracts of the Will and Codicil communicated at Vienna witness the Truth of this.

That Place where Ferdinand I. says, that in Failure of Male Issue in the House of Austria, the Kingdoms of Hungary and Bohemia ought to fall to the Share of his eldest Daughter, as the Codicil imports, cannot be construed in Favour of any other Daughters or Archduchesses but his eldest Daughter, since that Prince named at first only one of his Daughters that should survive him, among whom he afterwards points out the eldest, calling and substituting that eldest Daughter to the Succession, when it should pass from the Males to the Females, and observing the Order of Succession established in Regard to the Males, according to which the eldest always succeeds before the youngest.

The Descendants and Heirs of that Prince are expressly named in the Testament and Codicil. They are neither excluded from the Crown of Bohemia, separately reserved, nor from the other Kingdoms and Countries; but they are specially called to them in express Terms. Ferdinand I. did not intend, that in Case of Failure of the Males the Prince his Daughter

should be put behind the last Archduchesses, born at that Time, and who might be still living when the Succession should lie open: Wherefore he reserved to that Princess, by the Marriage Contract, her hereditary Right, and her Pretensions, as likewise to her Heirs and Descendants; which puts the Matter quite out of Dispute.

This is altogether as clear, by that Article of the Will, where it is said, 'That in Case the Emperor Charles V. should also die without Male Issue, or that after his Death his Male Heirs should become extinct, the Austrian Dominions shall devolve to and be inherited by those who have a Right to them.' Now it does not appear that this can be applied to any but the Princess Anne, who was called to the Succession, not only by her Right of Seniority, but also by the Reservation stipulated in her Marriage Contract.

It would then be a Subtlety contrary to all Equity, should the Court of Vienna sustain, that the Terms lawful Descendants, made Use of in the Testament of Ferdinand I. ought to be taken as meaning all the Archduchesses, when the Testament, the Codicil, and the Marriage Contract, which are essential Instruments, plainly prove the contrary. It would likewise be attacking the Prudence observed by Ferdinand in his Disposition. The Kingdoms of Hungary and Bohemia having been brought by him into the House of Austria, he was consequently the first Acquirer of them, to whom belonged the Right and Power of disposing of them. This he did in Favour of his eldest Daughter, married into the House of Bavaria, and her lawful Descendants. From that eldest Daughter the House of Bavaria descends in a direct and uninterrupted Line. The Right of this House becomes indisputable, if we consider that Ferdinand I. firmly insisted on the Order of Primogeniture, established in Regard to the Succession of the Male Descendants, and that he followed the same Order in Case that Succession should devolve to the Females.

It was for these Reasons that no other Renunciation was demanded of the Princess Anne, either by the Marriage Contract, or in the Will, but in Favour of the

the Male Descendants; whereas, if the general Terms
of *lawful Descendants* of the Sons had authorized the
Daughters of the same Line to succeed immediately in
Default of the Males, that Princess ought not only to
have renounced in Favour of all the Descendants in
general, but also (which deserves particular Notice)
in Favour of the Daughters; and certainly a Renun-
ciation of that Nature would not have been accept-
ed, &c.

On the other Hand, the Queen of *Hungary* sent the
following Piece to her Ministers at the Diet and at for-
eign Courts, to be communicated by them to the Diet
and to the respective Courts at which they resided, *viz.*

MARIA THERESA, by the Grace of God
Queen of *Hungary, Bohemia, &c.*

The Letter which his Imperial Majesty our Father
of Glorious Memory wrote on the 30th of September
last to the Elector of *Bavaria*, relating to the ground-
less Pretensions of that Family, has already been com-
municated to you, and you was at the same Time or-
dered to make the necessary Use of it's Contents at the
Court where you reside. You might observe by that
Letter, that this Court has all along had it in View to
obtain from the House of *Bavaria* the Copy of such
Clause or Clauses of the Will and Codicil of the late
Emperor *Ferdinand I.* on which it founded it's pre-
tended Rights; but the more that Family concealed it
in the Life-time of his late Imperial Majesty our Fa-
ther, the stronger Reasons had we to insist always up-
on the same Principle; for as on the one Hand it was
certain, that in the said Will and Codicil there was not
a Tittle of a certain *Nota bene* which the Count de
Perouse read here, and which the Court of *Bavaria*
has dispersed up and down, not only in the Empire but
abroad; and as on the other Hand if there had been
a previous Explanation, it was reasonable to have ex-
pected an Evallion of the same Nature as that which
was hinted at the Beginning of the Letter aforesaid;
it seems to be absolutely necessary to insist on the
Point that was first in View.

Soon after the Decease of his Imperial Majesty, the Count de Perouse went to all the Ministers, and read them a Paragraph out of a Dispatch he had received, importing, that no Step ought to be taken in Favour of any one whatsoever to the Prejudice of the Pretensions of the Family of *Bavaria*; and this Insinuation was founded on what was pretended to be the Tenor of the Will and Codicil of the late Emperor *Ferdinand I.*, the Purport of which was reported almost in the same Terms as in the *Nota bene* heretofore produced by the Count de Perouse.

The Count did not stop there, but, as we have since heard, has applied to all the Foreign Ministers residing here, and has exhorted them not only not to own us for lawful Heires of all the Hereditary Kingdoms and Dominions possessed by his Imperial Majesty our Father, but also to suspend all the Functions of their Ministry. 'Tis easy to conceive how we might have resented a Proceeding so unheard-of and so indiscreet; but being inviolably determined to walk always in the Steps of our august Father of Glorious Memory, we have chose upon this Occasion to be too moderate rather than in the least precipitant; therefore, all we have done is to inform the Foreign Ministers residing here of the Nature of the Pretensions of the *Bavarian Family*, and of every Thing which has passed here on that Head, by communicating to them the aforesaid Letter of the 30th of September last. As to the Count de Perouse; when he made his Declaration to the Count de Sintzendorf the first Chancellor of our Court, the latter asked him on the Spot, if he would not be pleased to give him what he had declared, in Writing? This the Count de Perouse did not think fit to do at that Time; but afterwards, when undoubtedly he had received an Order from his Court to that Purpose, he did not shew any Aversion to it, saying, that though indeed he had no Order to do it, yet, as it was not under any Prohibition, he did not conceive that the meer reading of it to the Count was sufficient to imprint the very Terms in his Memory. In Consequence hereof the underwritten Extract (No. I.) was sent on the first Instant, without any Inscription, to the House of the Count de Sintzendorf our first Chancellor; for which Reason

we

we could no longer delay to communicate those Clauses of the Will and Codicil of the Emperor *Ferdinand I.* which relate to the Succession to the Dominions of his Family; which Clauses are recited in this Rescript (No. II.) and you may in our Name assure the Court where you reside, that either in the Will or Codicil there is not a single Word more relating to the Succession to the Hereditary Kingdoms and Dominions possessed by that Prince, and that, in order more clearly to demonstrate the Invalidity of the Pretensions of the House of *Bavaria*, we are ready to shew the original Will and Codicil not only to the Count *de Perrouse*, if he desires it, but also to all the Foreign Ministers residing here.

We purpose to have the Clause recited (No. II.) forthwith printed, with short Notes in the Margent; and in the mean Time as 'tis necessary to prevent any bad Impressions which might be made by the groundless Insinuations in (No. I.) we cannot but remark, that what is therein advanced, *viz.* "That the eldest Daughter of the said Emperor *Ferdinand I.* and her Descendants, ought to succeed immediately on Failure of the Male Issue of the House of *Austria*," is so far from being mentioned in the Will of the said Emperor, that it says quite the contrary; *viz.* "That the eldest Daughter of the Emperor *Ferdinand I.* who (N. B.) shall be then alive, shall succeed to the two Kingdoms of *Hungary* and *Bohemia*, with a Preference when there are no lawful Descendants living from her three Brothers." Now of these there are several alive, among whom, in Consequence of the express Terms of the Disposition made by this Will, conformably to the Law of Nature and all other Laws, we ought to have the Preference before any other whomsoever, as the eldest Daughter of the last Survivor of the Males. Moreover, 'tis a Truth in which all the Civilians are agreed, that when a Succession is in dispute, which does not exclude the Females, they ought to be included under the Denomination of lawful Descendants: And this Consideration is more than sufficient to convince all impartial Persons, that there is nothing obscure with regard to this Point, in the last Disposition of the Emperor *Ferdinand*

and I. and that, consequently, the Electoral House
 of *Bavaria* cannot form any well-grounded Preten-
 sion, nor so much as the Shadow of a Pretension, for
 disputing a Succession with us, which God, Nature,
 and all Laws, and in particular the Usage of our Ar-
 chiducal Family secure to us; the rather because we
 read in a Grant passed to the said Family in the XIIth
 Century by the Emperör *Frederick the First*, obtained
Titulo onerosissimo, viz. by the Cession of the Duchy of
Bavaria, and afterwards confirmed several Times by
 the Empire in a Body, and by the Emperors: " *Et si,*
 " *quod Deus avertat, Dux Austriae sine herede Filio de-*
 cederit, idem Ducatus ad seniorem Filiam, quam re-
 liquerit, devolvatur; nec Ducatus Austriae ullo un-
 quam tempore Divisionis alicujus recipiat Sectionem.
 — *Volumus etiam ut si Districtus & Ditiones dicti*
*Ducatus ampliati fuerint, ex Hereditatibus, Donati-
 onibus, Emptionibus, Depredationibus, vel quibusvis*
*aliis devolutionum Successionibus, prefata Jura, Pri-
 vilegia, & Indulta, ad augmentum dicti Dominii Au-
 striae plenariè referantur.*

You will not only communicate all that is above to
 the Court where you will now reside by Word of
 Mouth, but you will give it also in Writing, &c.

No. I. above referred to was as follows, viz.

Letter from the Count de Forring, the Elector of Ba-
 varia's Chief Minister, to the Count de Perouse at
 Vienna.

SINCE the Lord has disposed of his Imperial and
 Catholick Majesty, 'tis his Electoral Highness's
 Pleasure that your Excellency should go to all the Mi-
 nisters of the Conference, and declare to them in his
 Name, That he hopes they will not be hasty in tak-
 ing any Step in favour of any one whatsoever, before
 they have maturely considered the Dispositions of his
 Imperial Majesty's Ancestors, and particularly that of
 the Emperor *Ferdinand I.* who settled the Order of
 the Succession in his Posterity among the Females as
 well as the Males: That by Virtue of this Dis-
 position the eldest Daughter of the said Emperor and

her Descendants, were immediately to succeed, on Failure of Males of the *Austrian Family*: that this being now the Case, his Electoral Highness of *Bavaria* claims his Right; and as he desires nothing but what in Justice belongs to him, he demands a Sight both of the Will and Codicil of the Emperor *Ferdinand the First*, which can't surely be denied him, as they are common Instruments.

Munich, Oct. 21. 1740.

And No. II. likewise above referred to was as follows, viz.

Extracts from the Will of Ferdinand I. King of Bohemia, dated the first of June, 1543.

AND forasmuch as Almighty God by his special Goodness has heaped Honours upon us, together with Kingdoms and Principalities, and has through his Divine Blessing granted us, by our most serene Princess Anne, Queen of Hungary and Bohemia, &c. Archduchess of Austria, our well beloved Consort, several Children, whereof three Sons and nine Daughters are actually alive; viz. Maximilian, Ferdinand and Charles; Elizabeth, Anne, Mary, Magdalene, Catherine, Eleonora, Margaret, Barbara, and Helena; we Will and Command, as is prescribed by God himself, Nature, and all Laws, that such of our Sons and Daughters who are actually alive, as well as those that we may have hereafter, be our true, lawful, and undisputed Heirs, to inherit after our Decease, without any Contradiction or Opposition whatsoever, to manage, administer, and govern, our Kingdoms, Principalities, States, and Subjects, as follows, viz.

Our Son the Archduke Maximilian shall after our Decease succeed in the Government of our two Kingdoms of Hungary and Bohemia, shall possess the same by Inheritance, shall rule, administer, and govern, with all their Appurtenances, the Kingdoms, Principalities, Margraviates, Counties, Estates, and Subjects, thereon depending, without any Contradiction or Opposition on the Part of our other Sons and Descendants.

dants. But if our said Son *Maximilian* die without lawful Descendants, either before or after us, in this case our Son *Ferdinand*, and on Failure of him the next of the Sons that is eldest shall succeed by Inheritance to the Regency of our Kingdoms, and the Dominions thereunto annexed, without any Opposition.

As to our State of Lower, Upper, and Hither *Austria*, which we have received from the Almighty and our laudable Ancestors; and as to our Right to the annual and hereditary Revenue of 60000 Ducats which were bequeathed to us, and charged upon the Kingdom of *Naples*, by our late Grandfather *Ferdinand King of Spain*, of Glorious Memorial, and which his Imperial Majesty our most dear Brother has assigned over to us upon certain Lands; we have considered with a sincere paternal Tenderness, that our laudable Ancestors have on every Occasion carefully guarded against any Division of our hereditary Principalities and Dominions; having governed them individually by an unanimous Administration, common and joint, or by an amicable Assignment, which without doubt has contributed not a little, with the Grace of the Almighty, to make our House of *Austria* prosper so considerably as it has done, in Dignity, Honours, Dominions, and Subjects, and to extend so far. Therefore, to the end that this Lustre and Splendour of our laudable House of *Austria* may be kept up as much after our Decease, as it was in our Life-time, and the Time of our Ancestors, without any Dimness or Diminution, we paternally exhort and pray our dear Sons, with a true and sincere Intention, to walk with Obedience and Pleasure in our Steps and in those of our Ancestors, and in like manner to avoid and shun all Manner of Division, for their Honour, Interest, Advantage, and Comfort, as well as for the Welfare of their Dominions and Subjects, by agreeing together, and mutually enjoying a brotherly, amicable, and joint Administration of every Individual.

Tis moreover our Meaning, Will and Pleasure, that at least, and in every Event, our dearest Sons forbear all Manner of Division, till the youngest that we shall leave behind us is full eighteen Years of Age: And to the End that during this Time our said hereditary Countries

Countries may be preserved, governed, and defended, in this State of Union and Peace, we command and require, that when the Almighty has by his Divine Will called us out of this World, our two dear Sons *Maximilian* and *Ferdinand*, who draw near to their Age, shall possess, administer, govern and defend, jointly and faithfully, as Brothers and Heirs who have not yet made any Partition, in their own Name, and in that of their younger Brothers whom we shall leave after our Decease, all and every one of our Dominions of Lower, Upper, and Hither *Austria*, with the Principalities, Margravates, Landgravates, Counties, Lordships, Castles, Cities, Subjects, Tolls, Customs, Imposts, Revenues, Quit-Rents and Prerogatives, as well as the aforesaid 60000 Ducats of the *Neapolitan* Legacy, with all their Appurtenances, Rights, and Jurisdictions, without any Exception; and that consequently they be the Patrons, Administrators, and Guardians of their young Brothers and Sisters, our Sons and Daughters, and may educate them with Dignity, in a Manner suitable to their Rank and Birth; the Whole, by Advice of her Imperial Majesty, our well-beloved Consort, *viz.* as we have said till the youngest of our Sons attain to eighteen Years of Age.

We likewise earnestly order and command our said dear Sons to observe and perform, without Delay or Contradiction, all and every the Marriage Contracts of our dear Daughters already resolved and agreed upon, or which we may hereafter agree to for the Good and Advantage of our Dominions and Subjects. And if our dear Daughters whom we shall leave behind us unmarried should meet with a Match suitable to their Condition and Birth before or after the End of their Minority, they shall be married by our said eldest Sons, by the Advice of her Imperial Majesty our well-beloved Consort, as well as by the Council of our Kingdoms, assigning to each for her legal Dowry and Child's Portion Paternal and Maternal, 100000 Florins of the *Rhine*, with Jewels, Clothes, Plate, Furniture, and the like, to the Value of 20000 Florins, or as much in Money, which our dear Sons shall grant and pass for their Establishment, part whereof shall be taken from our Kingdoms and the Principalities therein incorporated,

rated,

rated, and a part from the Revenues of our Dominions of *Austria*, it being allowable for our dear Sons to apply for the Deficiency of such Dowry and Settlement of our dear Daughters, as has been at all times the Practice, to our said hereditary Kingdoms and Dominions, which will undoubtedly thereto contribute without the least Repugnance. Moreover all and every one of our Daughters ought to be satisfied with the said Dowry and Paraphernalia, and consequently to renounce for themselves and their Descendants all Rights of paternal and maternal Succession, in favour of our Sons and of her Imperial Majesty as Archduke of *Austria*, and our male Descendants as of those of her Majesty, in such Manner and as it has been practised by our dear Daughters whom we have married and may still marry, and is established by the Usage and Observance of the House of *Austria*. And though this Renunciation be not made by one or more of our Daughters for any Reason whatsoever, yet they shall be nevertheless excluded from all Succession paternal and maternal, on their being paid the said Dowry and Paraphernalia, and our dear Sons shall not be obliged to do any thing more for them.

But if, which God forbid, it should please the Almighty that our well-beloved Consort, and all our dear Sons, should die without lawful Descendants, one of our surviving Daughters shall succeed in Quality of lawful Heires to the said Kingdoms of *Hungary* and *Bohemia* and their Dependencies: And though some Years ago we ignorantly gave an Acknowledgment to the States of our Crown of *Bohemia*, that the Daughters had no Right to inherit the said Kingdom, yet it since appears clear and manifest from the ancient, laudable Liberties of our said Kingdom, and particularly from the Bull of the late Emperor *Charles*, that on Failure of the Male Issue the Royal Daughters were capable of the Succession, and ought to be admitted to it: Therefore we exhort and intreat the said States of the Crown of *Bohemia*, and our Kingdoms, Countries, and Subjects, to remember their Obligation, viz. That in this Case they ought to receive and acknowledge one of our Daughters for their Sovereign, and no other Master, and that they ought to pay her entire

' tire Obedience, and to behave to her as faithful
' Subjects.

' — On the contrary, her Imperial Majesty and our
' dear Sons shall be obliged to give and furnish to our
' dear Daughters the Dowry and Settlement above-men-
tioned, and moreover they shall immediately grant to
' those of our Daughters that shall be still alive, exclu-
' sive of her who shall succeed to and possess our King-
' doms, the Sum of 300000 *Rhenish Florins*, for the
' Lands that are not Fiefs, and for all their Prerogatives,
' Jurisdictions, and Pretensions. But as to the Jewels,
' Plate, and other Goods and Moveables, they shall be-
' long by Right of Inheritance, and shall be delivered to
' our Daughters; and if any one of these, after having
' received such Dowry and Dividend, whether married
' or not, happens to die without lawful Descendants,
' her Sisters or their Descendants shall inherit the
' Whole as by Right. If it happens through Provi-
' dence, that his Imperial Majesty, our most dear Bro-
' ther and Lord, die without Male Descendants, or else
' that his Male Line prove extinct with them, then our
' *Austrian Countries* and Dominions shall fall to, and
' be inherited by, the Person to whom of Right it be-
' longs.

*Extract of King Ferdinand's Codicil, dated Feb. 4.
1547.*

' — Paternal Love also obliges us to advertise our
' most dear Sons, that some Years ago, at the Beginning
' of our Reign in *Bohemia*, upon the repeated Instances
' of the States of that Crown, and being ignorant of its
' true fundamental Constitution, we gave a solemn Ac-
' knowledgment to the States of the said Kingdom of
' *Bohemia*, that they had elected and received us King of
' their own full and free Will. But some time after,
' when we came to examine the Liberties and Preroga-
' tives of our Kingdom of *Bohemia*, and in particular the
' Bull of our Predecessor of laudable Memory, the Em-
' peror *Charles IV.* it evidently and incontestably ap-
' peared from thence, that our said Kingdom of *Bohemia*
' never ought to revert to the Election of the States
' when there are Male or Female Descendants of the
' Royal

‘ Royal Blood, but that it ought to pass and appertain
‘ to the Persons of the Blood Royal who are then living.
‘ In consequence we solicited the States of the said
‘ Kingdom to such a Degree, that they gave us back the
‘ Acknowledgment aforesaid, and owned that the said
‘ Kingdom was devolved not by way of Election, but
‘ by way of legal Succession, to our well-beloved Con-
‘ fort of glorious Memory as to their hereditary Queen
‘ and Sovereign, and that through her the said Kingdom
‘ came to us. We thought it therefore necessary, that
‘ their Dilections should be informed of all this, and that
‘ it would be for their Advantage to regulate themselves
‘ accordingly. And as we have disposed and ordered in
‘ our said Will, that if all our dear Sons, which God for-
‘ bid, should die without lawful Heirs, then one of our
‘ Daughters should succeed to and possess our Kingdoms
‘ of *Hungary* and *Bohemia* as lawful Heiress, we adhere
‘ to the said Disposition, with this express Declaration,
‘ that in such Case our said two Kingdoms of *Hungary*
‘ and *Bohemia*, with the Dominions thereon depending,
‘ shall be inherited and possessed by the eldest of our
‘ Daughters who shall at that time be living. And as
‘ we have agreed and settled in our said Will how all
‘ our dear Daughters ought to be endowed, and what
‘ ought to be given to each in Jewels and Moveables,
‘ we also abide by that Disposition, with this farther
‘ Addition and Disposition nevertheless, that at the ami-
‘ cable Request of our late well-beloved Confort of
‘ laudable Memory, we mean, will, and order by these
‘ Presents, that there be given and paid to our dear
‘ Daughter *Catherine* in Jewels or Furniture 10000 Flo-
‘ rins more than were assigned to our other Daughters.
‘ And as we married our dear Daughters *Ann* and *Mary*
‘ in the Year Forty-six without having yet paid them
‘ their Portion, having nevertheless promised their Di-
‘ lections to pay it or to procure it to be furnished or
‘ given them in the Space of two Years, 'tis our pa-
‘ ternal Will and Pleasure that, if God dispose of our
‘ Life before their Dilections have been entirely satis-
‘ fied in the Article of their Portion, our dear Sons shall
‘ forthwith pay the Amount thereof to our said dear
‘ Daughters.’

‘ Upon

Upon this the following Declaration, by way of Reply, was published in the Name of the Elector of *Bavaria*, viz.

' His most serene Electoral Highness of *Bavaria* has heard, with equal Surprize and Indignation, of a Report which has been spread, as if the just Pretensions he forms to the Succession of his late Imperial Majesty were founded on a forged Copy of the Will and Codicil of the Emperor *Ferdinand the First*.

' So strange a Notion must, no doubt, have surprized as much the Courts of *Europe*, who, for these many Years past, are acquainted with the legal Pretensions of his Electoral House of *Bavaria* to the hereditary Kingdoms and Countries of the House of *Austria*, particularly the Kingdom of *Hungary*; and though he had not set forth the Foundation of those Pretensions in so ample a Manner as he has lately done, yet they are too clear-sighted not to have perceived the Falsity of such an Imputation.

' If, in rendering Justice, as hath been done, to his Electoral Highness's Equity, and expressing Sentiments of Esteem for his Person, Justice had been done at the same time to the Principles which guide him, it could not have been imagined that he was capable of establishing his Right, in an Affair of this Importance, on a forged Copy acquired by Bribery, as hath been intimated.

' A Thought so odious is so much the more injurious to Truth, because his Electoral Highness is too jealous of his Rights not to ground them upon Justice, or to leave a Possibility of ever imposing upon him by a Forgery of this Nature.

' Wherefore, he declares in the Face of the whole World, that not only such a Copy did never exist, but also that it never was presented to his Court; and that all that is published concerning it is a mere Invention, as malicious as it is groundless, &c.'

These open Declarations of the Duke of *Bavaria* the World was no way surprised at, because he had always protested against the *Pragmatick Sanction*; nor were the Consequences of his Declarations much dreaded, be-

cause he was not in a Condition, without Assistance, to assert them by the Sword ; and accordingly no Weapon but the Pen was made use of by him, during this Year ; but a Storm arose from another Quarter, from whence it was little expected, and therefore occasioned a general Surprise.

Dispute between the King of Prussia and Queen of Hungary.

The House of Brandenbourg had long since set up a Right to several Lordships in *Silesia*, which for many Years had lain dormant, or, as the *Austrians* pretend, had been given up for a valuable Consideration. As this was denied by the King of *Prussia*, he thought this a proper Opportunity for asserting the Rights of his House, and therefore, as soon as he heard of the Emperor's Death, he began to recruit and assemble his regular Troops, of which he had then about 100000 in pay. At first no Notice was taken of it, because all the Princes in *Germany* were doing the same, in order to be ready for the worst : Nay, it was even thought that he was preparing to assist the Queen of *Hungary*, in case the Duke of *Bavaria* should disturb the Tranquillity of the Empire, by attacking her. His Preparations were carried on with such Expedition, that soon after the Middle of *November*, Orders were given for 20 Battalions of Foot, and 26 Squadrons of Horse, making in all about 20000 Men, to hold themselves in readiness to march ; and in a few Days after, Orders were given for one Squadron of the *Gens d'Armes* to hold themselves ready to march. At the same time Orders were given for providing a Train of Artillery, consisting of 20 Cannon, three Pounders, four twelve Pounders, and eight mortar Pieces, with a proper Number of Gunners, Bombardiers, &c. and all the Horses for the Train to the Number of 1600, arrived at *Berlin* by the 15th, on which Day the Regiment of *Sidow* and the Squadron of *Gens d'Armes* received their Route, and began to move towards *Frankfort on the Oder*, as did next Day the Margrave of *Baireith*'s Regiment of Dragoons of ten Squadrons, which was not included in the Body of Troops first ordered to hold themselves in a Readiness to march ; and on the 5th of *December* the Train of Artillery set out from *Berlin* in order to follow the Troops.

The Route taken by these Troops was a Surprise to the Publick, because it from thence appeared, they were not designed for the Support or Assistance of the Queen of Hungary; but the Mystery was soon unfolded by the following Declaration, which was delivered by the King of Prussia to the foreign Ministers at his Court on the 6th of December.

' The King of Prussia, by causing his Forces to enter into Silesia, has not been induced to take this Step from any ill Design against the Court of Vienna, and much less with a View to disturb the Peace of the Empire.

' His Prussian Majesty found himself indispensably obliged to have Recourse without Delay to this Proceeding, for vindicating the incontestable Rights of his Family to this Dutchy, founded upon ancient Conventions of Family and Confraternity, between the Electors of Brandenburg and the Princes of Silesia, as well as upon other honourable Terms.

' The present Circumstances of Affairs, and the just Apprehension he has of being defeated by such as form Pretensions to the late Emperor's Succession, have required Dispatch in this Undertaking, and Vigour in the Execution of it.

' And though these Reasons did not permit the King to expostulate the Matter previously with the Queen of Hungary and Bohemia, yet they will never divert his Prussian Majesty from strenuously espousing the Interests of the House of Austria at all Times, and from being the firmest Prop and Support of it upon all Occasions that shall offer.'

At the same time he sent the following Instructions to his Ministers at all foreign Courts, viz.

' As Mankind may be apt to form various Conjectures of the Motives for bringing my Troops into the Duchy of Silesia, I send you the Declaration hereto annexed, which I have caused to be made to the Ministers residing at my Court. You will take care to make the best Use you can of it for my Service in the Place where you are.

The A N N A L S

' The thing I would thereby demonstrate is, that my Intention is absolutely not to disturb the Peace of Europe, and much less that of the Empire. This Resolution I shall endeavour to keep, and shall do all I can to remove any Obstacles that may be started against so salutary a View as that which I propose to myself, viz. The securing the Liberty of the Germanick Body, and the Maintenance of the House of Austria, which are both equally dear and valuable to me.

' I should be wanting to myself, my Successors, and to the indisputable Rights of my Family, if I did not endeavour to improve them at a Juncture when every other Reason might avail to put me upon it.

' I have declared the Motives for this Proceeding to the Court of Vienna, in a Manner which will shortly convince not only all Germany, but the rest of Europe, of the Sincerity of my Intentions with regard to the present State of Affairs.

' You will therefore take care to represent these Matters in such Places as you think most proper, and in the best Manner, for dissipating the groundless Ideas that may be formed upon this Subject. When you let me know the Declaration and Judgment formed thereupon, you will also send a Duplicate of your Account to such as have the Care of foreign Affairs at my Court, &c.'

His Declarations or Propositions at the Court of Vienna, referred to in the above Instructions, together with that Court's Answer, we had soon after in a Memorial from the Queen of Hungary to the Diet at Ratisbon as follows:

' The first Order of his Prussian Majesty was to his Minister the Baron de Borck, which, though dated the 15th of November, was not notified by the Baron till the 17th of December last, and then no Part of it was read but the Preamble, whereof a Copy was refused. This Order was grounded upon the Apprehension of an Attack from the Elector of Saxony and another Power. But what follows was taken down in Writing with the Consent of the Baron aforesaid and the Count de Gotter, to whom it was afterwards read over, and

and they found it conformable to the King of Prussia's Instructions.

' 1. I am ready with all my Forces to guaranty all the Dominions possessed by the House of *Austria* in Germany, against all Invaders.

' 2. For this End I will enter into a strict Alliance with the Courts of *Vienna*, *Russia*, and the maritime Powers.

' 3. I will use all my Interest to procure the Imperial Dignity for the Duke of *Lorrain*, and to support his Election against all Opposers, and I dare believe I shall succeed.

' 4. To put the Court of *Vienna* into a good State of Defence, I will immediately furnish it with two Millions of Florins.

' You will naturally imagine, that for such substantial Services upon such hard Terms, I ought surely to expect a proper Security for indemnifying me from all the Hazards I may expose myself to in the Affair I willingly imbark.

' In short, what I want is the entire and absolute Cession of all *Silesia*, not only as my Right but as my Reward for the Toils and Hazards which I may incur, in the Career that I am enter'd upon for the Safety and Glory of the House of *Austria*.

' His *Prussian* Majesty's Second Dispatch was to the Count de Gotter, and dated December.

' By your Account dated the 26th instant, just put into my Hands by Kircheyen, I have heard how you have been treated by the Duke of *Lorrain*, and in what Language he has been pleased to answer your Proposals. Though the said Answer is so sharp and passionate that it seems to cut off all Means of an Accommodation, yet you are to leave no Stone unturned to induce that Prince to look with less Prejudice upon the Plan and Views I have proposed to myself, which really tend to nothing but the Welfare and Security of the Duke and the House of *Austria*; who may depend on the utmost Assistance that I can give them, if they will but satisfy my just Pretensions to *Silesia*.

' You may even give the Duke of *Lorrain* to understand, that though I have demanded the entire Cession

tion of this Province, I may perhaps make some Abatement, and content myself with a Part of that Country; provided the Queen of Hungary will be pleased to enter into a reasonable and sincere Accommodation with me, and to contract strict Engagements that may consist with our mutual Interests.

The King also authorised the Count *de Gotter* to declare by Word of Mouth, that his *Prussian* Majesty will be very ready to embrace every Opportunity for assisting the Queen of Hungary to maintain the Grandeur of her Family, and to make her amends for the Losses she may sustain upon this Occasion.

The Queen of Hungary's Answer.

As far as can be collected from the bare Reading of what the King of Prussia's Ministers refused to leave in Writing, his *Prussian* Majesty founds the Entrance of his Troops into Silesia upon the Necessity of guaranteeing the House of Austria against the Designs of some other Powers ready to swallow it up; and on the Expediency of sacrificing a Part of their Dominions for saving the rest. Nevertheless, it is evident and notorious that the Queen's Dominions enjoyed a perfect Tranquillity at the time that his *Prussian* Majesty entered them Sword-in-hand. If this be, as is pretended, the most proper, or rather the only Method to preserve the System of the Empire and the Peace and Happiness of all Europe, it will be a hard Task to conceive what in the World can destroy it.

As to the Offers and Demands which the *Prussian* Ministers have been pleased to leave in Writing, we are very far from slighting the Friendship of his *Prussian* Majesty, of which we know the Value, and for which we have all the Regard possible; and we are sure we cannot reproach ourselves with having neglected any Opportunity to cultivate it. But without the least Infringement of that Principle, we can't help remarking,

1. That the Bond by which all the Members of the Empire are united, founded upon the clearest Stipulation of the Golden Bull, obliges every one of them to assist any one of them who shall be attacked in the

Domi-

' Dominions which make a Part in the Germanick Body ; and this is in effect the Substance of his *Prussian* Majesty's first Proposal, though it does not extend so far as the Engagement that results from the Guaranty of the Pragmatick Sanction, with which the whole Empire is charged. If such Bands are not valid, what Security can the House of *Austria* hope for for the future ?

' 2. That the Alliances with *Russia* and the maritime Powers known to all *Europe*, were in being before the Entrance of the *Prussian* Troops into *Silesia* ; they are still in being, and 'tis very certain that 'tis the Intention of those Powers to confirm them more and more. Should the Queen therefore lose any Part of her Dominions, when the principal View of those Alliances is to preserve them entire ?

' 3. That the Queen cannot but gratefully acknowledge his *Prussian* Majesty's good Intentions with regard to the Election of the Emperor. But on the other Hand, as the Election ought to be free, and to be made in the Manner prescribed by the Golden Bull, so the Queen is moreover of Opinion, that nothing has a greater Tendency to thwart it than the Disturbances raised in the Heart of the Empire.

' 4. That one Prince never goes to War to force another to accept any Offer of Money. What his *Prussian* Majesty has already taken from *Silesia* under pretence of subsisting his Troops there, added to the immense Damage that results from the Ruin of the Country, already surpasses the two Millions that are offered.

' The Queen has no manner of Intention to begin her Reign by dismembering her Dominions. She thinks herself obliged in Honour and Conscience to maintain the Pragmatick Sanction, against any direct or indirect Infraction of it : And from thence it follows, that she cannot consent to the entire Cession of *Silesia*, nor of any Part of that Duchy. Nevertheless she is still ready to renew the sincerest Friendship with the King of *Prussia*, provided it may be done without such direct or indirect Infraction of it, and without injuring the Right of a third Person, and provided that the *Prussian* Troops retire without delay

from her Dominions. This is, in her Opinion, the only Measure consistent with Equity and Justice, with the Fundamental Laws of the Empire, with the Maintenance of it's Constitution, with the Publick Welfare, and the Balance of Power in Europe, and is consequently the only Step that can be conducive to the true Glory of his *Prussian* Majesty. Her Majesty the Queen makes no Scruple, most earnestly to intreat his *Prussian* Majesty to embrace this Method; and she even conjures him to it by all the Considerations whatsoever, that may possibly make an Impression upon the Heart of a Great Prince. Nor does she scruple to order this Answer to be communicated to the Ministers of his *Prussian* Majesty in Writing, to give the stronger Proof of the Sincerity which abounds in the Proceedings of this Court; though his Ministers could not be prevailed on to act in the same Manner.'

About the same time he sent the above Instructions to his Ministers at foreign Courts, he likewise wrote a Letter to each in Justification of his Conduct. That to the *Dutch* was as follows, *viz.*

' High and mighty Lords,
 WE cannot excuse ourselves from acquainting your High Mightinesses, that for maintaining the incontestable Rights of our Royal and Electoral Family to the Duchy of *Silesia*, we have been obliged to cause our Troops to march towards that Duchy, in order to secure the Possession thereof to ourselves at the present Juncture, against all that shall attempt to do any thing to our Prejudice. The Rights of our Royal and Electoral Family to this Duchy, are partly founded upon ancient Facts of Succession and Confraternity, between our deceased Predecessors in the Electoral Dignity, and the Dukes of *Silesia*, *Lignitz*, *Brieg*, and *Woblau*, as well as upon other uncontrollable Titles; which Rights, by consequence, could never be taken from us to the Prejudice of the fundamental Laws of our Electoral and Royal Family, by any Conventions that may have been extorted from it, but were never performed.

We

‘ We wish that in the present Juncture, when we have just Reason to apprehend a War on Account of the Succession of the Archiducal House of *Austria*, we could have explained our Intention beforehand to the Queen of *Hungary* and *Bohemia*, with whom we have proposed to ourselves to maintain a strict Friendship and good Understanding. But as the least Delay was dangerous, and as it could not be expected from us, that we should submit the Maintenance of our Rights to the Success of a doubtful and uncertain Negotiation, we cannot be blamed for using the Methods proper for preserving a Country to which we have such just Pretensions.

‘ Your High Mightinesses, according to your great Penetration, and in Conformity to the Affection and Friendship of which you have hitherto given us Proofs, will undoubtedly judge of your selves, that we could not act otherwise than we have done. You will likewise be persuaded, that we by no means design, as we protest before God, to prejudice any Person, much less the Archiducal Family of *Austria*, with whom we will concert the Affair in Dispute, in such a manner as shall be to their Satisfaction. We shall also be glad to employ the Forces and the Means that God has put into our Hands, that the System of the Empire, as well as the Rights, Liberties, and Privileges of all it’s Members and States may be maintain’d intire, and that the Empire in general may be secured against any manner of Invasion, and furnished with a worthy Head.

‘ Your High Mightinesses will be so far from doubting of our Sentiments, that we persuade ourselves you will not be deceived in this Matter; and we hope to convince all the impartial World, and the Archiducal Family in particular, that we have at Heart the true Interest of the Empire, and that alone.

‘ Whereupon we remain, &c.’

To which their High Mightinesses, after thanking his Majesty for the Notification, answer farther as follows:

‘ That for want of better Information, they know not what Judgment to pass as yet either upon his
‘ Pro-

‘ Proceeding or his Pretensions: That all they fear is,
 ‘ lest the Consequences should not fully answer his Ma-
 jesty’s View, *viz.* the Maintenance of a perfect Un-
 derstanding with the Queen of *Hungary*, and the Pre-
 servation of the System of the Empire, &c. That
 ‘ nevertheless they are glad to hear that his Majesty in-
 tends to explain himself in a satisfactory Manner to the
 ‘ Court of *Vienna*: That their High Mightinesses wish
 ‘ his Majesty had been pleased to inform them of his
 ‘ Resolution, before he had put it in Execution: That as
 ‘ Affairs now stand they earnestly wish that his Majesty
 ‘ will take all the Care he can to prevent whatever may
 ‘ tend to excite Trouble, considering the Engagements
 ‘ which he knows certain Powers are entered into: That
 ‘ their High Mightinesses shall on their Part be always vi-
 ‘ gilant in Pursuit of Measures for attaining such salutary
 ‘ Views, and contribute thereto with all their Power.’

His *Prussian* Majesty sent likewise a Letter to the Diet at *Ratisbon*, in which he declares among other things, as follows, ‘ That his Troops are not entered
 ‘ into *Silesia* with any ill Intention, but only to secure
 ‘ from imminent Danger his incontestable Rights to that
 ‘ Duchy, which cannot be changed by any Disposition
 ‘ whatsoever; that he will do his utmost to maintain
 ‘ the Constitutions of the Empire; and he protests be-
 ‘ fore God that he has no Design to prejudice the House
 ‘ of *Austria* in any thing, of which he will give such
 ‘ Proofs as shall convince all the World.’ &c.

On the other Hand her *Hungarian* Majesty sent likewise a Letter to the Diet at *Ratisbon* in substance thus:

‘ That the Emperor was no sooner dead but the King
 ‘ of *Prussia* promised he would maintain her in the
 ‘ peaceable Possession of the Hereditary Countries, and
 ‘ defend her against all Attacks; that he desired nothing
 ‘ more than to live in a perfect Union with her, and
 ‘ that he would support the Great Duke her Husband
 ‘ in all his Interests; that notwithstanding all these Pro-
 ‘ mises his *Prussian* Majesty had entered *Silesia* in an
 ‘ hostile Manner and made a Demand of that Duchy,
 ‘ or that otherwise he would join with those who are
 ‘ for dividing the Hereditary Dominions by a Treaty of
 ‘ Partition,

Partition, and have promised him considerable Advantages, &c. But the Queen hopes that the States of the Empire will give her the needful Assistance against Prussia conformably to the Guaranty of the said Dominions, &c.'

She also sent Letters upon the same Subject to several foreign Courts: That to the King of Great-Britain was as follows:

'Most Serene Prince,

'THE Discovery of the Mistake concerning the Will and Codicil of the Emperor Ferdinand I. seemed to warrant the Preservation of the Peace and Tranquillity of the Empire; and all the Christian Princes whom it concerned were equally pleased with the happy Situation and Prospect of Affairs, when the said Tranquillity and the publick Safety were disturbed by a Power from whom it was least expected.

'The King of Prussia, in Contempt of the repeated Assurances which he gave me of his Inclination to maintain a constant Friendship with me; in Contempt of that which he owned to be my Right of Succession to the Hereditary Kingdoms and Dominions; in Contempt of the Laws of the Empire, of the publick Peace, and of what is prescribed upon that Head in the first Article of the Golden Bull; in Contempt in short of all Laws Divine and Human; and in Violation of the Bands which serve for the Basis of Civil Society; that Prince, I say, has at the Head of a numerous Army, in the midst of Winter, attacked and invaded the Duchy of Silesia, without any previous Representation, and without having made the least Mention to me or my Ministers, of his pretended Rights, of which however he cannot alledge any but what have been abolished or extinguished by solemn Conventions.'

'Friendship is made Use of as a Cloak to cover the most dangerous Designs, and to put them in Execution with a surprising Rapidity. The past Ages can't parallel an Enterprize of this Nature; those to come will hardly give Credit to it; and the very Writing produced to colour this Proceeding will shew the Injustice of it.'

'Mean

Mean Time, I have neglected nothing to convince the King of *Prussia* of my sincere Disposition to cultivate his Friendship. With this View I sent the Marquis *de Botta* to him, to concert and settle the most proper Measures for tying the Bands of that Friendship, and good Neighbourhood. The Instructions of that Minister were only limited by the bare Restriction of not contracting Engagements that might be prejudicial to any one whatsoever, or contrary to the *Pragmatick Sanction*, so solemnly guaranteed by the late King of *Prussia* at the Diet of the Empire. These Advances on my Side had no more Effect than the Representations of several Princes. The Opportunity which offered so favourable to Views already formed, the Design of invading another's Patrimony, and the Desire of disturbing the Peace of his Neighbours, prevailed with him above all other Considerations. Consequently let any one judge what Fate other Dominions may expect, if those Princes who have the Peace and Safety of the Publick at Heart, don't unite their Forces and Counsels to stop the Course of such Enterprizes.

My Interests are not the only ones at Stake upon this Occasion, but those of the whole Empire, and of all Christendom. Setting private Interest aside, it is the general Interest of all the Christian Princes, not to suffer the Bands of Civil Society to be broke with Impunity. I know your Majesty has the same Sentiments as I have upon this Head, and that you have nothing more at Heart than to preserve an Union in the Empire: And as that Union is exposed to extreme Danger, I don't pause one Moment to have Recourse to your Majesty, whose Friendship, Alliance, and Royal Word I depend on, as well as your constant Cares for the publick Tranquillity; to the End that by Virtue of that Friendship which I shall always carefully cultivate, and of the Alliances which unite us, it may please your Majesty speedily to concert with me the surest Measures to cut up the Evil by the Roots, before it festers and spreads farther.

As for my Part, I shall oppose the present Danger with all the Forces that God has put into my Hands. I expect no other Rewards for my Efforts

for

' for the common Cause, but two Things: An entire
 ' Reparation of the Damages I may have suffered, as
 ' well as my Subjects, and the Foreigners that have
 ' depended on the Mortgage of *Silesia*; and proper
 ' Securities against being exposed to such Enterprizes
 ' hereafter, &c.'

There were many other Pieces published in *Germany* upon this Subject, but these will be sufficient to shew my Readers the Foundation of this important Dispute. It was in short this: The King of *Prussia* thought he had a good Right to several Parts of *Silesia*, and as he had refused great Offers made him by those who were for dividing the *Austrian* Dominions, he thought, he had a Right to demand some other Parts of that Dutchy as a Reward for that Refusal, and as a Compensation for the Risk he might run in defending the House of *Austria*. These Demands, it must be acknowledged, were not very unreasonable, and though they were made in a Manner which must be allowed not to be very complaisant, yet considering the dangerous Circumstances of the *Austrian* Family at that Time, it is surprising they did not immediately come to an Agreement with his *Prussian* Majesty, and grant him a small Part of the *Austrian* Dominions, in order to prevent the whole from being in Danger. This is a Mystery which I may perhaps be enabled to clear up a little in my next Year's *Annals*.

As his *Prussian* Majesty did not make his Demands till he had made himself ready to enforce them, his making Use of the Pen did not in the least retard his Preparations for making Use of the Sword. His Troops advanced in the mean Time to the Borders of *Silesia*, and on the 17th of December they entered that Dutchy; when his Majesty made the following Speech to his Troops:

War begun
between
them.

" Gentlemen,
 " I Don't consider you as my Subjects, but as my
 " Friends. The *Brandenbourg* Troops have at all
 " Times given certain Marks of their unconquerable
 " Valour. I shall be present at all your Enterprizes, and
 " you shall fight under my Direction. And as for any
 " that

that shall distinguish themselves from the rest by their Courage, and by their Zeal for my Service, I shall reward them not as a King but as a Father."

At the same Time he published the following Manifesto.

WE Frederic, by the Grace of God, &c. do assure all the Inhabitants of the Dutchy of Silesia, and of the Principalities and Countries therein incorporated, of whatsoever Rank or Condition they be, of our Favour and good Will.

It having pleased the Almighty to call his late Imperial Majesty out of this temporal State to himself, and thereby not only to deprive the Empire of its Head, but also the illustrious Archiducal House of Austria, which, by the Pretensions formed to the Succession of his said Imperial Majesty, by Reason of the entire Extinction of the Male Branch, is exposed to many sad Events, some of which have already manifested themselves, and others are on the Point of bursting out, like a general Conflagration, wherein the Dutchy of Silesia might happen to be involved; the Preservation and Prosperity of which we always had the more at Heart, because it serves as a Bulwark for our Security, and that of our Dominions in the Empire. And forasmuch as such as think they have a rightful Claim to the Hereditary Dominions of the House of Austria, might perhaps invade and seize this Dutchy by open Force, to the great Prejudice and Damage of our Dominions, and those that border thereon; which might be enough to spread the Blaze of War to our Frontiers, and expose ourselves to evident Danger.

For this Reason, in order to prevent Consequences so fatal, and to provide for the Defence of the Dominions and Subjects which God has committed to our Care, especially at a Time when a general War seems impending, We have thought that in Conformity to the Principles of that necessary Defence authorised by the Law of Nature, and those of all Nations (which allows every one to take Care of themselves) it was our Duty to hinder the Execution of several Projects ini-

nitely

nitely prejudicial to us, some of which lie still concealed, but others are made manifest enough; and being determined by other cogent and important Reasons, which we shall not fail to make publick in due Time, we have been obliged to march our Forces into the Dutchy of *Silesia*, in order to cover it against any Invasion and Attack.

And as by so doing we have no Manner of Intention to prejudice or disoblige her Royal Majesty the Queen of *Hungary*, with whom we have resolved and earnestly wish to maintain a strict Friendship, as well as with all the *Austrian Family*, and after the Example of our glorious Predecessors to the Crown and the Electorate, to contribute to their true Interest and Preservation: And as it will appear plain enough in due Time that this has been our only View, because we are now about explaining our Intentions upon this Head to her Majesty the Queen of *Hungary*; therefore all and every the Inhabitants of the Dutchy of *Silesia*, and the Provinces and Countries therein incorporated, of what Rank or Condition soever they be, may be assured that they have no Hostility to fear either from us or our Troops, but that, on the contrary, they shall find the full Effects of our Royal Protection, and powerful Support, by being maintained in the Enjoyment of their lawful Rights and Privileges, Liberties and Privileges, Publick and Private, Ecclesiastick or Civil, of whatsoever Religion, Rank, or Dignity they are, and on all Occasions that such Protection shall be necessary. And we shall take Care that our Troops observe the best and strictest Discipline, to the End that no Man be molested or disturbed by them in the Possession of his Property.

On the other Hand, as we are come into *Silesia* without any View of committing the least Hostility there, but purely for the Good of the Inhabitants, for the Preservation of their Estates and of the Peace of the Country, which is as necessary for them as for us, we persuade ourselves and firmly trust, that these gracious and friendly Offers and Declarations will make them cautious of doing or attempting any Thing in any Manner whatsoever against us and ours, and of undertaking any Thing that may oblige us hereafter, against

‘ against our Wills, to have Recourse to other Measures, which might be attended with such fatal Consequences as they could thank none but themselves for.

‘ In witness whereof we have signed the present Manifesto, and thereto set our Royal Seal.

‘ Given at our Residence Sign'd
‘ at Berlin, Dec. 11. 1740.

‘ FREDERIC.

And on the other Hand, the Count Schaffgotsch, Director of the Regency of that Dutchy, caused publish a Declaration, upon receiving the News of the Prussian Army's having entered the Territories of Silesia: Which was to this Effect: ‘ That the Regency has, with much Surprize, been informed of the coming of the Troops of the King of Prussia into Silesia, not knowing that either the Queen of Hungary, &c. or the States of the Dutchy, have given him the least Occasion for so doing. That the Preparations of War which his Prussian Majesty has lately caused to be made having given Grounds to enquire after their Destination, very strong Assurances, in Answer to such Enquiry, were received of his Intention to live in a perfect good Intelligence with her Majesty, which 'tis impossible to believe, as that Prince has caused his Troops to enter into this Dutchy, against the Law of Nature and of Nations, and to the Prejudice of the Constitutions of the Empire and of the Golden Bull. That the Regency has neglected nothing to preserve the Friendship and good Neighbourhood of the King of Prussia. That the Marquis de Botta, who went from Vienna to Berlin, was provided with necessary Instructions to preserve that good Understanding in such Manner as should not be injurious to the Rights of the Queen. That the King of Prussia cannot form upon Silesia any kind of Pretensions which have not been abolished by the most solemn Treaties; and that upon the Offer which he made of his Troops to the Queen, her Majesty sent Orders to the Marquis de Botta to declare, that she had no Intention that the Prussian Troops should enter into

into *Silesia* so long as she could support her Rights without them. That the Queen, in the Circumstances she is in, could never have expected that the King of *Prussia* would have entered into her Dominions with an armed Force, after the many Assurances of firm Friendship and good Understanding which she received from that Prince, even at the Time when he was employed in making the Preparations that he is now using to disturb the Repose of the Empire, contrary to Treaties of Peace, and to the Constitutions contained in the *Golden Bull*, which expressly forbids all Princes from entering with an armed Force into any Territory, without having previously communicated the Reasons thereof to the Sovereign. That the Queen being informed the King of *Prussia*'s Preparations of War were levelled at *Silesia*, could not presently believe it, being so thoroughly persuaded of the good Intentions of his *Prussian* Majesty; and that hearing of it's being currently reported that she was in Agreement with that Prince in Relation thereto, and considering that a Rumour of this Nature was as injurious to her Honour as to the Prosperity of her Kingdoms and hereditary Countries, and that very disadvantageous Suspicions would result from it, as well in her own Dominions as out of them, her Majesty has sent Orders to the Regency, that as soon as the *Prussian* Troops should enter into that Dutchy, under what Pretext soever, this Declaration should be published. That moreover, as the Queen is persuaded that the King of *Prussia* may have been induced to take this Step by the Advice of some evil-minded Persons, she hopes, from the Equity of that Prince, that he will not deny to withdraw his Troops; and that in Case his *Prussian* Majesty should refuse to do so, the Queen declares to her own Subjects, and to those of foreign Powers who have any Mortgage upon *Silesia*, that she cannot take upon her to answer the evil Consequences which may result therefrom, protesting before God, before all the States of the Empire, and before all *Christendom*, that she never intended to consent to the introducing any Novelties in the Dutchy of *Silesia*.

As the Queen of *Hungary* had but few Troops in *Silesia*, and as very few of the Towns were fortified, the *Prussians* met with no Opposition in their March, except at *Glogaw*, where there was a small Garrison commanded by Count *Wenceslaus Wallis*, who shut the Gates against the *Prussians*, and resolved to defend the Place to the last Extremity, therefore the King of *Prussia* thinking it necessary to get to *Breslau* the Capital of *Silesia* as soon as possible, left a Body of his Troops to block up *Glogaw*, and proceeded with the rest of his Army towards *Breslau*, near to which he had approached at the End of this Year; and as Troops were ordered to march from *Hungary* and *Austria*, under the Command of Count *Neuperg*, to oppose him, a War may thus be said to be begun in *Germany*.

Death of
Fr derick
William
King of
Prussia.

These were the manifest Consequences of the Emperor's Death, and as the other Occurrences relating to any of the *Austrian* Dominions, or indeed to any other Part of *Germany*, except *Prussia*, were of no great Importance, I shall pass them all over, and next observe, that on the 31st of *May* last died *Frederick William*, King of *Prussia*, in the 52d Year of his Age, and was succeeded by *Frederick Charles* his eldest Son, now King of *Prussia*, who began his Reign as all wise Kings do, with a great many popular Regulations, Actions, and Speeches, but what recommended him most to his People, and indeed to the whole World, was his Behaviour to his Consort Queen, of which we had the following Account in a Letter from *Berlin*.

The young
King recon-
ced to his
Queen.

" Since our new King has mounted the Throne, People have been generally in Expectation, that some Steps would be taken which would discover an Intention in him to dissolve his Marriage. Persons who are most intimate with him believed, that some celebrated University in *Germany* would be consulted upon the Possibility of the Dissolution of this Marriage; but the Day that the Queen, accompanied by the Queen Dowager, came to the King at *Charlottenburg*, every Body who was present at their Meeting was agreeably surprized to hear his Majesty address himself to the young Queen in the following Manner: " You are sensible, Madam, that your becoming Princess Royal

" was

" was contrary to my Inclination, but having observed
 " the Amiability of your Character, and the Regard
 " that you have manifested for my Person, I find myself
 " under a kind of Necessity to make you equal Returns
 " of Friendship, and now therefore, as I am King, I
 " acknowledge you for my Queen Consort, and for my
 " lawful Wife." Conformable to this Declaration,
 " the King has caused the Queen to be acknowledged as
 " Queen Consort, and in the Evening went into her
 " Apartment, in order to partake of her Bed. His Ma-
 " jesty is even adored by his Subjects, who already pro-
 " mize themselves the Effects of the most happy Reign
 " from the Presages of it's pleasing Commencement.
 " It's remarked in many Instances, that this Prince is in-
 " flexibly steady in whatever he has maturely resolved
 " upon. He discovered on many Occasions, in the
 " Life-tithe of the late King his Father, to what a De-
 " gree he was capable of governing and restraining his
 " Passions. Those who have studied the Character of
 " this Prince, say, that he has a great deal of Courage,
 " is of an enterprizing Genius, admires Magnificence,
 " and has the Love of his Subjects greatly at Heart:
 " It may indeed be truly said, that by every A& of Be-
 " neficence which he shall bestow upon them, he will
 " make them the more effectually perceive the Contrast
 " that there is between his Disposition towards them, and
 " that of the late King his Father. The latter followed
 " in every Thing the Advice of the Counsellor Eckard,
 " which, in most Respects, was disadvantageous to his
 " Subjects: 'Tis for this Reason that the King has or-
 " dered him to quit his Dominions."

His Majesty likewise began his Reign with giving
 great Encouragement to Learning and learned Men,
 having invited several Foreigners to come and settle, or
 at least to pass some Time at Berlin; and among the rest,
 he wrote the following Letter to Mons. Maupertuis the
 famous Mathematician and Philosopher at Paris, viz.
 " I have had Sir, the strongest Desires, from the first
 Moment of my Accession to the Throne, to have
 you give the Academy of Berlin such Form as it can
 only receive from you: Come then, and inoculate on
 the wild Stock the Graft of Sciences: You have dif-
 H b 2 covered

Encourages
Learning.

covered to the World the Shape of the Earth ; now
communicate to a King the Pleasure of having you in
his Possession, &c.'

Mons. *Maupertuis* accordingly embraced his Majesty's Offer, and set out for *Berlin*, where as soon as he arrived, he had an Apartment in the Palace assigned him, and his Majesty settled a Pension upon him.

His Dispute
with the
Bishop of
Liege.

With Regard to foreign Affairs, his Majesty soon shewed, that some Part of the Character given him in the above Letter from *Berlin* was just; for having taken a Journey to visit his Dutchy of *Cleves* in *August*, he sent, the Beginning of *September*, whilst he was at *Wesel*, a Commissary to *Herstal* and *Hermalle*, to receive the Homage of the Inhabitants, but they refused either to admit the Commissary, or to take the Oath of Fidelity required, under Pretence that they were under the Jurisdiction of the Prince and Bishop of *Liege*, and could not acknowledge any other. As they were countenanced and supported in this Refusal by the said Prince and Bishop, his Majesty immediately wrote him the following Letter :

' Cousin,
Knowing all the Infringements you have made of
my indisputable Rights to my free Barony of *Her-*
stal, and in what Manner the seditious Inhabitants
have been for several Years supported in their detest-
able Disobedience to me, I have ordered *Rambon-*
net my Privy Counsellor to repair to you, to demand
of you in my Name a sincere and categorical Expla-
nation within two Days, whether you are still resolved
to persist in your pretended Sovereignty over *Herstal*,
and to protect the mutinous in their abominable Irre-
gularity and Disobedience? In Case that you deny or
delay the Answer which I have so much Reason and
Justice to demand, you will be alone responsible to the
whole World for the Consequences with which your
Refusal will be infallibly attended. I am however
with very great Esteem,

' COUSIN,

' Your most humble

' and affectionate Cousin,

' FREDERIC'

To

To which the Prince and Bishop sent the following Answer.

' S I R E,

' The Rights of Sovereignty which have been exercised by the Bishops of *Liege* for above a Century, in that Part of *Herstal* which is situate on this Side of the *Maeuse*, were yielded to my Church by the Emperor *Charles V.* by Virtue of Deeds of Exchange passed in 1546 and 1548, with the Consent of the States of the Principality of *Liege*, and under the Guaranty of the Crowns of *France* and *Spain*: The Princes of *Liege* have since that Time preserved the Territorial Superiority over that Part so yielded as aforesaid, in the same Manner as the Dukes of *Brabant* have preserved the Enjoyment of the other Part. I have, in like Manner, continued to maintain my Rights and Possession, without ever intending to infringe those of the King of *Prussia*, of glorious Memory, as Lord of that Barony, which he and his Predecessors held in Fee of my Feodal Court of *Liege*, and that of *Brabant*. As to the Inhabitants of *Herstal*, I assured his late *Prussian* Majesty more than once, that as soon as the Complaints and Informations were laid before me, instead of protecting them, I would see strict Justice done according to the Laws of the Country: I have now the Honour to repeat the same Assurances, and to put an End to all Disputes, I declare that my States of the Principality of *Liege* having proposed to purchase your Majesty's Title to *Herstal* for 100000 Crowns, for which they offer to pay four *per Cent.* Interest. I am ready to conclude a Bargain on the same Foot, on Condition of giving a proper Security. I have the Honour to be with Respect, &c.'

As his Majesty does not seem to like tedious Negotiations, he made no more ado but directly ordered a Body of his Troops to march into the Bishoprick of *Liege*, there to live at the Expence of the Inhabitants, till their Sovereign should think fit to do him Justice; and accordingly they entered and took Possession of *Maseyk* in that Bishoprick, on the 14th of September.

At the same Time his *Prussian* Majesty took Care to justify his Conduct by publishing the following Manifesto or Memorial, *viz.*

' THE Subjects of the Lordship of *Herstal* having rebelled against the King in 1733, they put themselves under the Protection of the Prince of *Liege*, who granted it to them without any Hesitation, and assumed to himself the Sovereignty over that Lordship, which had always been contested with him by the Princes of *Orange*, who were the first Possessors of that Lordship.

' Though the late King tried all the gentle Methods possible to reclaim the Rebels of *Herstal*, yet he could not succeed; so much exasperated were they by the Prince of *Liege*, who held a secret Correspondence with those Rebels.

' The King, who had no other View than to be upon good Terms with his Neighbours, and to convince them of the Effects of his Moderation, offered to sell the Lordship of *Herstal* to the Prince of *Liege* for 100000 Patacoons; a very moderate Sum for a Lordship situate as *Herstal* is, in a rich and opulent Country along the *Maeze*. But as *Herstal* is at the very Gates of *Liege*, and detached from his Majesty's other Dominions, the King thought fit by this Sale to prevent an infinite Number of Quirks and Disputes, which could only tend to take him off from more important Occupations, and must, in the End, be disadvantageous to the Prince of *Liege*. Mean Time, the Proposal of selling it met with so many Contradictions on the Part of that Prince, that in Spite of all that could be done, the Negotiation miscarried.

' Not content with having disobliged the King upon so many Occasions, the Prince of *Liege* made it his Busines to affront Col *Cretzen*, who had the Honour to be sent to him from his Majesty with the Character of his Minister, to take Care of his Affairs. His Effects were seized, his Person affronted, and the Prince-Bishop let fall some Words in his Anger which any Prince, except so mild a one as the King, would have made him repent of.

' At

' At this Juncture it pleased the Almighty, who, according to his infinite Wisdom, directs all the Vicissitudes of this Life, to put an End to his Majesty's Days, and to call him to himself, after having finished a Reign for ever glorious and memorable.

' The Oath of Allegiance which the King demanded of the *Herstallers* at his Accession to the Crown was refused, in Spite of all Remonstrances, and notwithstanding the Pardon that was promised to the Authors of the Rebellion.

' The Prince of *Liege* being still fond of his usurping Scherme, supported the Rebels, and fed their Obstinacy with so much Craft, that neither good Words nor Menaces could avail to reclaim them.

' The King being loth to act precipitantly, and having nothing more at Heart than to cultivate the Friendship of his Neighbours, gave the Rebels more Time, even till he came to *Wezel*, from whence his Majesty sent a Privy Counsellor (*Rambonet*) with a Commission to demand a categorical Answer of the Prince of *Liege*, whether he intended to persist in his Claim to the Sovereignty over the Lordship of *Herstall*, and to support the Rebels, or whether he would absolutely decline it, and abandon the Authors of the Rebellion? To which the said Prince has not vouchsafed any Answer.

' This was adding Insult to Injustice, and directly attacking the King's Honour. His Majesty has therefore been forced by the Prince of *Liege* to part with his usual Moderation upon this Occasion, and to make him feel the Effects of his Indignation at the Rebellion of the *Herstallers* by him fomented, at the Ill-treatment of *Creitzen* his Minister, at his unjust Pretension to the Sovereignty of *Herstal*, and at the Contempt which he has put upon the King's Letter, in not vouchsafing to answer it.

' For this End his Majesty has caused some Troops to march into the County of *Horn*, who are to remain there till it pleases the Prince of *Liege* to hearken to Reason, and to consent to a just and equitable Accommodation.'

The Prince and Bishop of *Liege* published a Counter Memorial as follows, viz.

THE Sovereignty of that Part of *Herstal* situated on this Side the *Maele*, indisputably belongs to the Bishop and Prince of *Liege*, who is entitled to exercise it since the Execution of the Contracts of Exchange of 1546 and 1548, in the same Manner as his Imperial and Catholick Majesty, in Quality of Duke of *Brabant*, has always exercised and still exercises it peaceably in the other Part situated beyond that River.

This Sovereignty is not chimerical, as some imagine; the Emperor Charles the Fifth, when he ceded it to *George of Austria*, Bishop and Prince of *Liege*, in exchange for the Sovereignty of the Territory of *Frasne*, with the Consent of the States of *Brabant*, solemnly promised the Guaranty of it to his Church; and his Imperial Majesty now glorioufly reigning, as well as the most Serene Archduchess, Governess of the *Netherlands*, have allowed and acknowledged it.

On the other Hand *Spain* obliged herself, by the Treaty of Peace of the Year 1659, to make the said Territory of *Frasne* fall to *France*, which Territory *George of Austria* had ceded by Way of Exchange for this Part of *Herstal*; and both these Crowns guaranteed the peaceable Possession of the latter to that Prince and his Successors; so that from that Time to the Year 1732, they constantly exercised all Acts of Sovereignty in it without Dispute or Opposition.

The Manifesto, or Memorial, printed at *Wesel* the 11th Instant, (*September*) supposes, nevertheless, that the Prince of *Liege* has arrogated to himself that imaginary Sovereignty, as if the Emperor, *France*, *Spain*, and the States of *Brabant* would have ceded and guaranteed a Chimera for possessing the Estate of a third Person.

The Memorial adds, that this Sovereignty was disputed by the Princes of *Orange*, who, it supposes, upon very ill Grounds, were the first Possessors of the Lordship of *Herstal*.

The Author of that Piece undoubtedly forgets that the Difference which arose in the Time of the Princes

of

of Orange did not relate to the Sovereignty; but only rolled on their pretending that they ought not to be subject to two Reliefs, viz. one in Brabant and the other in the Feodal Court of Liege.

But this Dispute ceased by their own Acknowledgment afterwards, and by the Reliefs they successively made in the said Court of Liege, viz. the 20th of July 1663, by John Baptist Cazier, in the Name of the Lady Margaret of Merode, Countess of Middlebourg; the 18th of June 1666, by the Princess Dowager of Orange, &c. &c. &c.

The same Author likewise forgets that the Territory of Herstal was (long before the House of Orange possessed that Lordship) the Appennage of the Dukes of Brabant: That Henry the Second gave it to Godfrey of Louvain, his Brother, who gave it to his Son Henry; that it fell afterwards to the Count de Horne, and his Descendants down to Thierry of Horne, who sold it in the Year 1368 to John of Goffincourt, by whom it was sold to Lambert Doupage, who left it to his eldest Son: That the latter dying, Elizabeth de Glimes, Relict of John Doupage Brother to the Deceased, obtained the Possession of it by a Sentence of the Feodal Court of Brabant, dated May 24, 1435. That the Lord of Croy bought this Lordship of the said Lady Elizabeth, who ceded it to John Count of Nafan, and the latter obtained the Investiture thereof from Philip the Good, Duke of Burgundy and Brabant.

This List of Possessors who successively enjoyed the Lordship of Herstal, shews that the Princes of Orange were not the first Possessors of it, as the Author of the Memorial asserts.

It was with a View to abuse more effectually his present Majesty's Equity that all these Truths were concealed from him, and that the most lawful Acts of Sovereignty were represented to him as so many Violences, Affronts, and unfair Proceedings, injurious to the King.

They talked to him of the Rebellion of the Herstal leze as if this Prince had fomented it, not considering that so strange an Accusation was unjustly attacking a Prince of the Empire, who by his Dignity, his Religion, his Rank and Character, never deserved a Suspicion of that Nature.

He

' He is reproached with being the Cause that the Negotiation miscarried, relating to the Sale of the Lordship of *Hershal*, offered by his Majesty for 100000 Crowns; whereas it is certain that it was Col. *Creitzen* himself that refused to accept the annual Interest of that Sum at the Rate of four *per Cent.* not considering that this Proposal of the Prince was much more advantageous to the King than paying the Capital at once.

' To this ill-grounded Reproach they add another, which is, having purposely contrived how to affront the said Col. *Creitzen*, who was sent to him (the Bishop) in quality of Minister charged with the King's Affairs; and in order to prove this Insinuation in some shape or other, they talk of the stopping of his Effects in such a Manner as intimates that the Prince had a Hand in it.

' Every Body knows that these Sorts of Arrests, or Executions, are nothing but a simple Notification and Reply which the Attorneys make according to the Usage of the Country, without acquainting the Judge with it: A Clown of *Hershal*, (in whose Favour the Sheriffs of that Territory had given an Execution against the said Colonel) thought, upon seeing him at *Liege*, to recover the Costs and Damages he pretended to: His Attorney, according to Custom, put an Execution into the Hands of the Inn-keeper upon M. *de Creitzen's* Effects. As soon as the Prince was informed of it, he prevented the Complaint that might ensue; he order'd the Sheriffs of *Liege* to cause the Attorney and the Peasant to appear immediately; they were commanded to revoke their Execution before a full Bench: This they did, assuring the Colonel, that had they known of his being vested with the Character of Envoy they never would have issued an Execution against him.

' M. *de Creitzen* intimated that he was satisfied with this, though, at the same time, by a contrary fetch, he loudly complained of it to the King, but without mentioning the Satisfaction which the Prince had just made him in so solemn a Manner. This brought on a Letter from his Majesty, dated the 26th of May 1739, couched in the strongest Terms; to which the Bishop

and Prince answered with all the Moderation possible,
that it was surprising a Satisfaction should be demanded
which his Highness had ordered the 14th of the same
Month, and which was executed on the Spot; so that
the King looked upon that Business to be over, having
never made any Mention of it since.

It may be that the Prince expressed his Dissatisfaction to M. *de Creitzen*, for his souring the Mind of his King, by concealing in his Report the Attention and Earnestness with which he acted in ordering the Executions, which were the Subject of his Complaint, to be taken off, and making him the Reparation demanded.

It is likewise possible, that being justly irritated at all the Violences and forced Entrollements committed daily by the Prussian Officers all over his Dominions, and even in his Capital, by studied Tricks and Stratagems, which frequently did not square with Humanity, he might have reproached Col. *Creitzen* with the Cries and bitter Complaints with which his Subjects deafered him every Day; but the Expressions he used on that Occasion were so moderate that the late King never complained of them.

We leave the World to judge whether what is trumped up on that Head, can be now a just Motive for employing Force of Arms, infringing the publick Peace, contemning the Laws and Constitution of the Empire, and violating the Territory of a Prince, who ever since the Beginning of his Reign has taken a Pleasure to deserve the King's Affection, by his eagerness in every Thing relating to his Service, and his Moderation in employing for the Maintenance of his Rights only what was absolutely necessary to prevent his losing them.

The Remonstrances and the Writings which are convincing Proofs of the Sovereignty ceded to the Church of Liege by the Duke of Brabant, and the Acts of Possession of that Jurisdiction, are the only Weapons the Prince made use of: Yet they are stiled secret Practices, unfair Dealing, Usurpation.

And they carry their Prejudices so far as to make the Prince accountable for the King's Discontent, because the People of *Herstal* refused to take the Oath of Allegiance

‘ Allegiance to him, whereas his Highness never heard
 ‘ that the King had required any such Thing of them
 ‘ since his Accession to the Throne, though indeed, he
 ‘ was informed that they had been ordered to put them-
 ‘ selves in Mourning, and to ring their Bells which they
 ‘ have been without ever since the Thunder fell upon
 ‘ the Parish Steeple.

‘ The Author of the Memorial charges it again as a
 ‘ Crime in the Prince, that adding Insults to Injustice
 ‘ (as it is said) and attacking the King’s Honour, he did
 ‘ not vouchsafe to answer his Majesty’s Letter.

‘ The Letter is dated the 4th Instant, the Privy Coun-
 ‘ sellor, *Rambonnet*, delivered it to the Prince himself
 ‘ the 9th. The next Day the Answer was drawn up and
 ‘ communicated to the Chapter, the Privy Council and
 ‘ the States; so that it was carried on the 11th to the
 ‘ Prince, who was then at a Country Palace where he
 ‘ signed it in order to be sent away (as in Fact it was) by
 ‘ the first Express.

‘ Could he be more expeditious, and has he not rea-
 ‘ son to complain that Counsellor *Rambonnet* had not
 ‘ Patience to wait two Days for the Receipt of it? And
 ‘ may he not likewise complain, that while this Answer
 ‘ was preparing, they were hurrying at *Wesel* the Im-
 ‘ pression of the Manifesto or Memorial which appeared
 ‘ the same Day (the 11th Instant) the precipitating the
 ‘ March of a Body of 2000 Horse and Foot with Can-
 ‘ non, which suddenly and unexpectedly slipped into the
 ‘ Country of *Horne* and Town of *Maseyck*, where the
 ‘ Subjects of *Liege* find themselves treated as Enemies
 ‘ and at Discretion.

‘ Let them say, as it is trumpeted in the Manifesto
 ‘ published at *Wesel* the same Day, that the King was
 ‘ forced to have Recourse to Arms, he cannot have been
 ‘ excited thereto but by false Reports made by Men
 ‘ whom Passion and Self-Interest actuate at the Expence
 ‘ of Truth and Justice.

‘ But there is room to hope, that when the King comes
 ‘ to be better informed, he will wipe off the wrong Im-
 ‘ pressions that have been given him; and that being
 ‘ sensible of the immense Damage done in *Maseyck* and
 ‘ the County of *Horne*, he will recal his Troops as soon
 ‘ as possible, and order a proper Indemnification on that

Account : his Majesty has too much Discernment not to find that his Equity has been abused, and is too just not to cause the Mischief to be repaired by those who are the Authors of it, by making an Abuse of his Moderation, his Forces and his Authority.

Done at Liege the 18th of September 1740.

At the same time, the Bishop sent Complaints both to the Courts of *Vienna* and *Paris*, but all to no Effect, the *Prussians* continued at *Maseyk*, and their King returned to *Berlin*, whither the Bishop at last found himself obliged to send two Deputies, by whose Means the Affair was amicably adjusted, on Condition that the Bishop should pay his *Prussian* Majesty 200000 Crowns for his Pretensions on *Herstal*, and that Payment being compleated the 23d of *October* in the Evening, the *Prussian* Troops marched out of *Maseyk* the next Day, and returned to their own Territories.

The Beginning of *August* an Account arrived at *Berlin* from *Neufchatel*, belonging to his *Prussian* Majesty, that on the 10th of the preceding Month there arrived at that Place an Advocate of the Parliament of *Paris*, with a Procuration of the Duke of *Chevreuse*, to claim the Rights of that Lord to that Principality pretended to be usurped by the late King of *Prussia*, and to take Possession in his Name. The same Day there also arrived an Advocate of the Parliament of *Besanon*, with a like Procuration on the Part of the Marquis *De Neufchatel*, which was directed to the Governor, who caused the Council to assemble to deliberate upon this Affair ; after which the Governor ordered the two Advocates to quit the Town and Principality in 24 Hours : That if after that Time they should be found therein, they would be proceeded against as Criminals. They thereupon immediately departed.

*Neufchatel
claimed by
the French*

C H A P . V.

*An Account of the most important Occurrences in POLAND.*Diet of Po-
land meets.

IN June last, the *Universalia* for convoking the General Diet of the Kingdom were sent to the respective Provinces: The Dietines for electing the Deputies to that Assembly were held in *August*; and on the 27th of *September* his Polish Majesty, with his Queen and Court, arrived at *Warsaw* from *Dresden*, in order to be present at the holding of the said General Diet. The 3d of *October* being the Day appointed by the *Universalia*, for the Diet's meeting, it was accordingly that Day opened at ten o'Clock in the Morning by M. *Rudzinsky*, Marshal of the last Diet, and Cupbearer to the Crown, who made a fine Speech, in which he extolled the King's Wisdom and Conduct in preserving the Tranquillity of the Kingdom: and after recommending Union amongst themselves, concluded with desiring the Nuncio's to proceed to the Election of a new Marshal, according to the Laws of the Kingdom; which they did, and chose M. *Katwouki*, Nuncio of the District of *Bielks*, to whom M. *Rudzinsky* delivered up the Marshal's Batoon, and administred the usual Oath.

Senate deli-
berates
about Cour-
land.

As nothing extraordinary happened in this Diet, I think it unnecessary to give any farther Account of it, and therefore shall proceed to the other Affairs of *Poland*. As soon as the Primate of *Poland*, who was then at his Palace of *Lewitz*, heard of the Fate of the Duke of *Courland*, which I shall give an Account of in my next Chapter, he sent for all the Senators and other great Polish Lords then at *Warsaw*, with whom he held what they call an *Interim Senatus Concilium*, in which they had the following Circumstances under Consideration: That the Duke of *Courland* having obtained that Dignity only by the Recommendation of the late Empress of *Russia*, there was no likelihood that the States of that Duchy would demand him: That the Circum-

stances which that Duke was in, were of such a Nature as to leave no room to believe that he ever would be able to maintain his Right of Election: That Advice was just received that the Court of *Russia* was to send Troops into *Courland*, in order to take that Country under her immediate Protection; and if so, that the Republick ought not to delay asserting her indisputable Rights to that Duchy: That it was therefore expedient to intreat the King to send a Minister to *Petersburg*, in order to represent that *Courland* being a Fief holding of *Poland*, it is the Republick's Busines to take that Duchy under her Protection, and that they hope *Russia* will lay aside her Design of sending Troops thither. These Propositions having been approved, a Resolution passed in Course, to write to the King about this Affair.

The Beginning of *March* last, the Republick had an Account from their Resident at *Bender*, that the *Bashaw* of that Place had, by orders from the *Porte*, made him great Compliments upon the Neutrality observed by the Republick during the late War with *Muscovy* and the Emperor of *Germany*; and that in return, particular Care should be taken to make good all the Damages occasioned by the Irruptions of the *Tartars*; that the Commerce between *Turkey* and *Poland* should be settled upon a better footing than ever it was before, and that the Subjects of *Poland* should have leave to settle with their Families in whatever Parts of the *Ottoman* Dominions they pleased, with entire Liberty of Conscience, and without paying any Tax but a small Tribute yearly. The Senate having deliberated upon these Advices, they ordered their Resident to return their Compliments to the *Porte*; but as they looked upon the latter Part of this *Turkish* Compliment as a Piece of Policy, and that the *Porte*'s Design in offering great Advantages to the *Polks* who should come to settle in her Dominions, was to draw away the Subjects of *Poland*, in order to repeople *Moldavia* and *Walachia*, which had been wasted by the *Muscovites* in the late War, the Senate wisely took care to send Orders to the great General of the Crown Army, the Commandant of *Kaminiack*, and the Governor of *Trinity Fort*, not to let any *Polander* pass over the *Niester* to *Turkey*, unless provided with proper Passports.

A cunning
Compli-
ment from
the *Porte*.

The

Duchess of
Bouillon
sells her In-
heritance.

The Duchess of Bouillon, Daughter of Prince *Jamet Sobieski*, having, together with the Princess her Daughter, gone to *Poland*, to take Possession of the rich Inheritance left her by her Father, and finding that, by the Laws of *Poland*, she could not enjoy it, without making that Kingdom her usual Place of Residence, therefore, in *March* last, she sold all those great and fine Estates long possessed by her Family, we may suppose, at a small Price to Prince *Michael de Radzioil*, Palatine of *Trock*, and Vice General of *Lithuania*; in order that she might return to live in *France*; so fond are foreign Ladies, and some foolish foreign Lords of living among the fiddling dancing People of that Kingdom.



C H A P. VI.

*The most remarkable Occurrences in
MUSCOVY.*

A new
Conspiracy
in Muscovy.

IN my *Annals* for last Year, I gave an Account of a dangerous Conspiracy formed against the *Czarevna*: Though that Conspiracy was defeated, and the Chiefs taken up and executed, yet some of their Accomplices remained undiscovered, and began to form new Designs. The chief of these new Conspirators was M. *Wolinski*, great Hunter of the Crown, and Minister of the Cabinet; but his Designs being discovered, he and five of his Accomplices were tried and condemned; and upon the 8th of *July*, at seven o'Clock in the Morning, the Sentence was executed upon a Scaffold erected near the Fortress at *Petersburg*: M. *Wolinski* himself had first his Right Hand cut off, and then his Head: M. *Jeropkin*, Intendant of the Buildings, and M. *Kroustchoff*, Counsellor of the Admiralty, were afterwards beheaded: M. *Scimono*, Vice-President of the Admiralty, and Commissary-General, and M. *Eichler*, Secretary of the Cabinet, were also condemned to die;

but

but the Empress remitted the Sentence of Death, and the first received seventeen, and the other twenty-five Strokes of the *Knouts*; and were sent into Siberia with M. Scuda, Secretary of foreign Affairs, the 5th of M. Wolinski's Accomplices, who was whipt with a Whip called in the *Russian Tongue* the *Plet*, being a Punishment less severe than the *Knouts*.

Upon this Occasion the Empress published a Mani-
festo, of which the following is an Extract.

" We have discovered, with a great deal of Surprise
and Displeasure, and contrary to Expectation, that the
late great Huntsman *Artemis Wolinski*, and his Ac-
complices the Commissary General at War *Fedor Se-
monoff*, the Privy Counsellor *Plato Musin-Puscbkin*,
the Privy Secretary of the Cabinet *John Eichler*,
Counsellor *Andrew Chruschtschoff*, the Intendant of
the Buildings *Peter Jeropkin*, and the Secretary *John
Souda*, have so little feared the Judgments of Heaven,
and so openly violated the Duty to which they were
bound by their Oaths, that unthankful for all the Tes-
timonies of our Goodwill towards them, which were
far greater than they deserved, particularly to *Wolinski*,
Semonoff, *Musin-Puscbkin*, and *Eichler*, they have ren-
dered themselves guilty of high Crimes against the
State, Perjury, and notorious Misdemeanors. Their
Offences have been plainly proved by the Examination
made by the Commission established by a Decree of
our Privy Chancery, according to the Forms pre-
scribed by the Laws of the Empire. *Semonoff* made
a Confession without obliging them to force him to
it. *Plato Musin-Puscbkin*, *Eichler* and *Souda*, after
shuffling some time, likewise confessed their Crimes.
Wolinski, *Chruschtschoff* and *Jeropkin* at first denied
all, submitting to the Penalty of Death in case the
contrary could be proved: But being afterwards clearly
convicted of their Crimes, they confessed them, and
acknowledged themselves guilty.

" *Wolinski*, forgetting his Duty to God, and what he
owed to himself, to his Birth and his Rank, formed,
in concert with his Accomplices, a pernicious Pro-
ject, which tended purely to the manifest Violation
and Subversion of the Laws and Ordinances which
our glorious Predecessors and we had established, as
well

well for the Utility of our Subjects as for maintaining good Order amongst them. Their Views in this Project, to the Prejudice of the Empire and the Oppression of the Subject, were no less evident than the notorious Encroachment in it upon our Authority, held of God alone, as well as the Attempt against the Glory and Dignity of the Empire. Wolinski, in making a Parade of his Name in this Schetne, set himself forth as a Legislator able to make his Resentments be dreaded: Such was the Project which he endeavoured to bring about, as well by his own Intrigues as by the Machinations of his Adherents.

In a Writing which he presented to Us, and of which he himself was the Author, he attempted to render the Conduct of our faithful Subjects suspicious, particularly those whom we intrusted with the Affairs of the State. He maliciously imputed to them Things purely of his own Invention.

He imposed of his own proper Motion, and without our Knowledge, Contributions in several of our Provinces; by which Methods he robbed our Subjects of considerable Sums.

He bolted out, together with his Accomplices, all manner of indecent Speeches and Censures against the two first Articles of our Ordinance of the 10th of April, 1730. He endeavoured, by the most artful and malicious Insinuations, and by spreading false Reports, to come to the Knowledge of the domestick Affairs of our Household. He suppressed, of his own accord, important Informations given on the same Subject, several of which were found among his Papers. He communicated and gave Copies of several secret and important Advices, to Persons to whom it was not lawful for him to impart them. He bribed some of the lowest sort of People, and maliciously excited them to inform against several of our faithful Subjects, who suffered great Prejudice thereby. He found Means, under divers Pretexts, to put in his own Pocket considerable Sums belonging to the Crown Revenue. He employed a large Sum out of our Treasury in useless Expences, without having our Permission for doing so. He tossed up into handsome Posts and Employments Men who had no Merit to plead either now.

with Us or our Empire: He took them under his Protection, and procured them Rewards, while he made it his Study to blacken the Reputation of loyal Subjects whose Services might have been useful. Without any other Motives but his own Animosity, he punished himself, or caused to be punished, with great Severity, many Persons who no way deserved such Usage. In fine, he exercised many other Violences.

Wolinski's Accomplices were Witnesses of his unmannerly Speeches and rash Judgments. They were privy to his Projects and dangerous Writings. They have even acknowledged in their Confession, that *Wolinski's* Enterprizes tended to the manifest Prejudice and Violation of the Laws and Ordinances of the Empire, and struck at our Sovereign and Imperial Authority. Nevertheless, though they were obliged by their Oaths to discover these Things, they not only neglected to do so, but they even had a Hand in the same Crimes; they held the same Discourses, and seconded *Wolinski* by their Counsels as well as other Assistance: Consequently, they rendered themselves as guilty as he, as is proved by the Acts of their Depositions, preserved in the Chancery of the Senate.

Though *Wolinski* was not ignorant that, according to our Laws, and those of all the World, our Palace, and all the Apartments of it, are to be considered as sacred and inviolate, yet one of his Secretaries, whom he had mal-treated, coming into our Palace to complain of this Usage, *Wolinski* beat him, and dragged him by the Hair of his Head out of our Apartments, and sent him to his own House under a Guard; after which he beat him again most unmercifully. Some present having made Remonstrances to him about this Violence, he replied haughtily, *Let them be angry if they will at what I have done; it is enough that I have had my Will.* Several Persons employed in the Offices and other Employments have experienced his Hatred and Anger, by the ill Usage they received directly at his Hands, or from others whom he set to work.

Though he knew very well that his Extraction was none of the highest, and that he descended from the

poorest of the Noblesse, so that he was indebted to Us for his Fortunes and Elevation, yet he carried his Vanity so high as to assume our Coat of Arms, and gave himself out as allied to our Imperial Family: And he not only boasted of this on several Occasions, but he had also formed the Design of publishing abroad a Genealogy, wherein the Arms of his pretended Ancestors were to be quartered with those of the Imperial Family.

He engaged and employed in his Service Soldiers and Domesticks who were destined to serve only near our Person, and paid them out of our Treasury. Far from duly attending to several things which were committed to his Care, he let them fall to Decay through his extreme Neglect. His insatiable Greediness for Money made him extort considerable Sums from those for whom he employed his Credit, and from others who dreaded the Effects of his Animosity. One of his favourite Maxims was, *When an Opportunity offers to get any thing, seize it with Tooth and Nail, and swallow up all.* His Pride was so intolerable, that he oftentimes ordered his Servants to discipline, with their Whips, Men who, in passing before his House, forgot to pull off their Caps or Hats.

While he was thus wanting in his Duty, and committing the greatest Male-Practices, he used frequently to say, *I don't know what God will bring me to; but one of these two things must necessarily happen that I either shall rise very high, or fall entirely.* These Particulars, and a great many more, are prov'd by the Acts, &c.

*Czaria
dies, Prince
John declar-
ed her Suc-
cessor, and
Duke of
Curland
Regent.*

On the 16th of October the Empress was taken very ill of the Gout, attended with a Spitting of Blood, and as her Case was thought to be dangerous, she made her Will, by which she declared the Infant Prince Ivan, Son of Duke Anthony Ulrick of Brunswick, by the Princess Anne of Mecklemburg, her Successor to the Imperial Throne of Russia. This was publickly declar'd, even before her Death, and the Princess Anne took the Title of Imperial Highness, as Mother to the Pro-sumptive Heir of the Crown; but on whom she had settled the Regency was not declared till after her Death, which

which happened on the 28th of the same Month, when it appeared, that by her Will she had appointed the Duke of Courland sole Regent of the Empire till the young Emperor, about three Months old, should attain the Age of seventeen, with an absolute Power in all Affairs both foreign and domestick; and the Form of Publick Prayers was upon this appointed to be for his Majesty, his Parents the Princesses *Anne* and the Prince of *Brunswick*, the Princess *Elizabeth*, and the Duke Regent.

Though this Settlement took Place, yet it was not to the general Satisfaction, as may appear from the following Extract of a Letter from Petersburg.

That Princess (meaning the late Empress) not chusing to observe the Regimen prescribed some time ago by her Physician, fell into a declining Way. On the 13th of October she was attacked with excessive Pains, and a Retention of Urine. On the 14th it was observed that her Arms, Legs and Face were covered over with Pimples. On the 15th her Pains increased to such a Degree, that her Death began to be apprehended, and the Duke of Courland advised her not to defer regulating the Succession. The Empress told him, there needed nothing more to be done on that Head than to prepare an Instrument in Favour of the Princess *Anne*. Upon which the Duke went into the Empress's Closet, where were the Counts *d'Ostfman* and *Munich*, Prince *Czernafowski*, and four other Senators; two of whom, and the Prince, declared, that for their Parts they were ready to acknowledge the Princess *Anne* for their future Empress, and that they did not doubt but that the rest of the Senate were of the same Sentiments, but that it was much to be questioned whether the same Facility would be met with in the Nation in general: That the Princess *Anne* was indeed Granddaughter of Czar John; but her being born in another Country, and married to a foreign Prince, would give the Malecontents a fair Opportunity of stirring up the Subjects against this Disposition of the Imperial Crown. These Reasons had a strong Tendency, and seemed to pave the Way towards causing the Princess *Elizabeth* to be nominated; but no Body thought fit to mention

' her. The German Ministers, who perceived what
' was aimed at by this Difficulty, said it was easy to
' remedy the Inconvenience hinted at, by setting Prince
' John, Son of the Princess Anne, upon the Throne.
' The Russians had not Courage enough to make any
' Objection thereto. They returned into the Chamber
' of the Empress, where the Duke of Courland acquaint-
' ed her with the Result of their Deliberations. This
' Princess, however, could not immediately consent to
' set aside the Princess Anne. In the mean time a Mes-
' sage was sent to tell the Princess Elizabeth, that as
' the Empress was dangerously ill, and as too much
' Care could not be taken in preserving the publick
' Tranquillity, she was desired to give Leave that the
' Guard of her Palace should be augmented. Two
' Companies were presently placed upon the Avenues
' thereof, which prevented that Princess from being
' informed of what passed at the Imperial Palace. On
' the 16th, in the Morning, the Duke of Courland pref-
' sed the Empress to come to a Determination. At
' length she consented that Prince John should be no-
' minated her Successor. The Instrument for that Pur-
' pose having been drawn up, and signed, Advice was
' given thereof to the Prince of Brunswick and to the
' Princess Anne. This last could not conceal her Indig-
' nation, upon finding her Hopes of succeeding to the
' Imperial Crown frustrated; she therefore took the
' Oath to her Son as if she had been forced to it. The
' Princess Elizabeth, on the contrary, did it with a very
' good Grace, discovering in everything such Firmness
' and Constancy, as seemed to place her above the
' Condition she is in. On the 17th, in the Morning,
' Papers were fixed upon the Doors of the Senate, the
' College of Justice, and the Admiralty, to the follow-
' ing Purpose: *Our Tongues may be tied, and we may*
' *be forced to take Oaths that our Hearts disavow, but*
' *it is Elizabeth only that we acknowledge to be worthy of*
' *the Throne of her Ancestors.* Many of the Russians
' ardently wish that the Princess Elizabeth was Em-
' press, and would marry some Person of distinguished
' Merit of that Country.

However

However, all Degrees of Men in that Empire submitted, and took the Oaths to the new Emperor, and the Regent, without any Difficulty. No Man had the Courage to shew the least Scruple, but General *Kieh*, Brother to the Earl Marshal of Scotland attainted in the Year 1716. This Gentleman happened at the Time to be Commander in Chief of the Russian Troops in the Ukraine; and upon his receiving Orders to take the Oaths to the new Emperor and Regent, and to administer them to the Officers and Soldiers under his Command, he assembled the Generals and a great Number of inferior Officers, to whom he spoke in Substance thus:

General
Kieh re-
fuses to take
the Oaths to
the Regent.

Gentlemen, it is my Duty to consider,

I HAVE received the sad and deplorable News of the Death of her Imperial Majesty, our most gracious Sovereign. Here is the Form of the Oath sent to be taken, in which Obedience and Fidelity is not limited to the sacred Person of his Imperial Majesty, but is to extend likewise to the Duke of Courland, in Quality of Regent. I declare to you, Gentlemen, that I will take the Oath of Fidelity and Obedience to our present most gracious Emperor John the Third with Joy: That I am ready to sacrifice my Blood for him, and for his august Parents: That next to his Imperial Majesty, I am ready to obey and submit to them: but I do not think proper to bind myself by any Oath to the Duke of Courland.

This Openness made Impression upon several Officers, who followed the Example of General *Kieh*; but many others took the Oath according to the Form, alledging, that should they refuse to take it, they would expose themselves too much to the resentment of the Duke of Courland.

This was, in such an absolute Government, a most remarkable Instance of Courage and Resolution, and what soon followed, shewed, that this Gentleman's Sagacity was equal to his Courage and Resolution; for very few of the Nobles or People were pleased with the Settlement of the Regency, which soon occasioned the Downfall of the Regent, an Account of which we

Regent de-
graded and
imprison-
ed.

had in the two following Letters from Petersburg in November last, viz.

' The Nomination of the Duke of Courland to the Dignity of Regent of Russia has caused the more Surprise, as it was always expected that the Princess Anne should be declared Heiress apparent to the Crown; or if she had a Son, that she should be declared Regent during his Minority. Whatever Commendations may have been given to the Administration of the Duke of Courland, it is far from giving general Satisfaction. The Princess Anne, as Mother of the Emperor, ought naturally to have shared the Administration; and Duke Anthony Ulrich, though declared Generalissimo, and High Admiral of the Empire, could not without some Uneasiness see the Regent govern as absolute Master. These Reasons determined the Duke of Brunswick to throw up all his Employments. The Nobility not very well satisfied with the Advancement of the Regent, complained of several Things wherein his Administration seemed blameable. The Duke assembled the Nobility, and took Notice to them, that he perceived there were several Things which gave them Displeasure; that he had taken upon him the Burden of the Regency merely for the Publick Good, and out of Respect to the Will of the late Empress; that his own private Interest had no Share in it; and that his sole Endeavours should be to well govern, and to merit the Affection of the Publick. As the Proceedings of the Regent seemed contradictory to these Protestations, the Complaints of the Nobility increased. The Duke relying too much upon his Authority, arrested six Russian Lords, and some other Persons of inferior Rank. This Arrest was as a Signal of the Downfall of the Duke. The 18th and 19th of November some secret Conferences were held at the Palace; and the 20th, when the Duke expected nothing of the Matter, he was suddenly arrested in his Palace, and carried to the Fortress. All the Family of Biron are much affected with this Disgrace.'

The other Letter was as follows, &c. The
had

The Resolution of securing his Person (meaning the Regent's) was taken in an Assembly held at the Palace of the Princess *Anne*, on the 19th instant, at Night. It was there represented, that the Regent had, even before the Death of the late Empress, abused the Confidence reposed in him by her Imperial Majesty: That keeping every Body from coming near that Princess during the last Moments of her Life, he had by his Artifices got himself declared Regent of the Empire after her Death: That being solely guided by an excessive Ambition, it was to be feared that it would induce him to seize upon the Sovereign Authority: That certain indecent Menaces, from which he was not able to refrain, made it appear how much that ambitious Man was to be feared; and that therefore it was necessary to take proper Measures to stop the Effects of his wicked Designs. These Representations were accompanied with Circumstances which amounted to Proofs. The whole Assembly determined, that the Regency could not be left in the Hands of the Duke of *Courland*, without exposing the Tranquillity of the State to imminent Danger; and that consequently, it was necessary to take it from him, to secure his Person, and oblige him to give Account of the Trust reposed in him. The Regency being in the mean time confer'd on the Princess *Anne*, the Order for arresting the Duke of *Courland* was drawn up, and the Execution assigned to Count *Munich*. All this could not pass without some Bustle; but the secret was so well kept, that the Regent knew nothing of what had passed. At three o'Clock in the Morning the Guards were doubled, and all the Posts reinforced. At four o'Clock Count *Munich*, accompanied by his Adjutant General and General *Uscakov*, went with a Detachment of Guards to the Summer Palace, where the Duke Regent resided. They immediately secured the Guard, threatening to kill whoever should dare to resist. The Palace was invested, and all the Stairs and Galleries taken Possession of. Count *Munich* having caused, in the Name of the Emperor, the Apartment of the Duke, who was in Bed, to be opened, this last being awakened by the Noise, and suspecting that his Person was in Danger, leaped out of Bed in his Shirt, and

and took up his Sword. Just at that Instant Count *Munich* entered, and said to him, *I arrest your Highness on the Part of the Emperor, and here is my Order.* The Duke defended himself as long as he could with his Sword: and after being disarmed, he still struggled with so much Force, that his Shirt was torn in Pieces, and there was yet some Trouble in getting Master of him. The Duchess, on her Part, did not make less Resistance, who with a Sabre wounded one of the Guards. Count *Gustavus Biron*, Brother of the Duke of *Courland*, taking his Sword in one Hand, and a Pistol in the other, intended to have escaped through the Garden, but the Guards which were placed there stopt him. After the Duke and Duchess were dressed, they were conducted, with their Family, to the Winter Palace, where the Emperor and the Imperial Family were, and from thence they were carried in four covered Carriages to the Fortress of *Schlieffelbourg*. Immediately afterwards a general Discharge of the Artillery was made, the Princess *Anne* was declared Regent of the Empire, and a solemn *To Drum* was sung on this Occasion. The eldest Son of the Duke of *Courland* was not conducted to the Fortress, because of his being indisposed, but he is put under a Guard. All the Relations and Creatures of the Duke of *Courland* being naturally suspected at Court, Orders have been sent to *Moscow*, to arrest Count *Charles Biron*, another Brother of the Duke's; and to *Riga*, to arrest General *Bismarck*, Governor of that Place, and his Lady, who is Sister of the Duchess of *Courland*. M. *Bestubef*, heretofore Minister from *Russia* to *Copenhagen*, and who since his Return had been declared Minister of the Cabinet, in the Place of Mr. *Wolincki*, has been likewise arrested. Commissioners are to go to *Schlieffelbourg* to examine the Duke of *Courland*; and 'tis said, that he is already charged with twenty-two Articles of Accusation. All the Duke's Effects have been seized. Immense Riches have been found in his Apartments.

And upon the 21st, the following Declaration was published at *Peterburg*, viz.

We

WE John the Third, by the Grace of God Emperour and Sovereign of the *Russians*, &c. Though by Virtue of the Disposition made by her late Imperial Majesty, of glorious Memory, the most illustrious Ernest-John Duke of *Courland* had been nominated Regent of this Empire during our Minority, and by that Disposition he had been expressly ordained to comport himself in his Regency conformable to the Ordinances and Laws published by her Imperial Majesty and her illustrious Predecessors, as also to take the utmost Care of our Health and Education, to have for our most dear Parents, and all the Imperial Family, the Esteem and the Veneration which is due to them, and to provide for their Subsistence according to their Rank and Dignity; we have nevertheless been informed, with great Discontent, that the Duke of *Courland*, instead of fulfilling these Duties in Conformity to the above Disposition, has presumed, immediately after having taken into his Hands the Reins of the Regency, and even before the Body of her late Imperial Majesty was interred, to undertake several Things contrary to the Ordinances and Laws; and what is still more aggravating, to have publickly shewn a manifest Contempt to our most dear Parents, having made Use for this Purpose of Menaces which in no Sort became him, whereby he discovered his vast and dangerous Designs: So that not only our most dear Parents, but also our Person, as well as the Repose and Safety of the Empire, appeared to be fallen into the most perilous Situation.

For these Causes, in order timely to prevent the Consequences of so manifest a Contravention of the Disposition of her late Imperial Majesty, as well from the imprudent Conduct of the Duke of *Courland*, and his dangerous Designs, as from his Enterprizes against our most dear Parents the Imperial Family, and the whole Empire, we have found ourselves under a Necessity, at the very humble and instant Request of all our faithful Subjects and States, as well Ecclesiastical as Secular, to take the Regency from the Duke of *Courland*, and to confer, at the same instant Request of our faithful Subjects, the Administration of

the

the Empire of *Russia*, during our Minority, to our
most dear Lady Mother her Imperial Highness *Anne*,
to whom, from this present, we give the Title of
Grand Princess of all *Russia*; and we grant her full
Power to exercise the Regency upon the same Prin-
ciples and Foundations as were established by the said
Disposition of her late Imperial Majesty. And to the
End that our faithful Subjects may be informed of the
above Particulars, and that pursuant thereto they may
be obedient to her with all Fidelity, as they ought to
be to us their lawful Lord and Emperor; and that by
Virtue of this Constitution, they render in all Things
a due Submission and Obedience to her Imperial
Highness *Anne*, Grand Princess of all *Russia*, our
most dear Lady Mother, as Regent during our Mi-
nority, that they religiously observe, inviolably sup-
port, and affirm by Oath, our present most gracious
Disposition, which we have ordered to be printed, to
the End that it may come to the Knowledge of every
Body.

When the deposed Regent was carried to the Fortress of *Schleisselbourg*, nothing was omitted to mortify both him and his Lady. They were not only left exposed to the Rain and Snow for near half an Hour before the Gate of the Winter Palace, where they were loaded with the Curses of the Populace; but the Duke, when he was put into the Waggon to be conveyed to the Fort-
ress, had the further Mortification, to see near thirty Persons in his Passage that were delivered out of the Pri-
son to which he had committed them, who reproached him for what they had suffered during their Confinement. Of this Number was *Andrew Jackowitz*, a Counsellor of State, and Secretary of the Cabinet, who was so se-
verely chastised by the Knoute, that he will bear the Marks of it as long as he lives. As it was apprehended that the Duke and his Brother the Count *Gustavus de Biron*, would attempt to make away with themselves, Dr. *Smith* a German Physician, was sent to the Fort-
ress to attend them. All the Generals, Officers, and other Persons, that had obtained Employments of the Duke, or had any Share in his Confidence, were either arrested or turned out; and all his Domesticks, to
the

the Number of threescore, were committed to Prison. Soon after his Confinement, he wrote a most submissive Letter to the Princess Regent, to the following Effect, *viz.* That under his present unhappy Circumstances, he cannot forbear calling to Mind his past Conduct, as well before as since the Death of the late Empress, but that he cannot conceive what he had done to incur the Displeasure of her Imperial Highness. That he never intended to be wanting in his Duty to her, or her Consort; but that if nevertheless he had been so unfortunate, as in any Respect to deviate from it, he entreats her Imperial Highness to believe it was owing to Inadvertency, and to a Multitude of Perplexities which are inseparable from Government. That 'tis not to sue for Favour to himself that he takes the Liberty to write this humble Letter. That having so lately experienced the Uncertainty of human Greatness, he can be no more affected with any Thing which may relate to himself, therefore whatever Sentence shall be thought proper to be passed on him, he shall readily submit to. That the only Favour he has to ask of her Imperial Highness is, that she will be pleased to cast an Eye of Compassion upon his unhappy Family, which cannot have shared in the Faults imputed to him; and that if he obtains this Grace, he will employ the Remainder of his Days in Acts of Piety, and praying for the Preservation of the sacred Person of the Emperor, her Imperial Highness, &c.

Commissionaries having been sent to the Fortress to examine the Duke in his Confinement, they returned in a few Days, and by their Report declared themselves unanimously of Opinion, that he deserved Death; but the Princess Regent declared, she would not stain the Beginning of her Son's Reign with Blood, and that therefore she would not take away his Life, or that of any of his Family, but would content herself with banishing them to Siberia.

One Thing happened upon this Occasion which I cannot pass unobserved: When the People of Muscovy heard of the Czarina's Death, and the Advancement of the Duke of Courland to the Regency, they made great Rejoicings upon this Account; but their Rejoicings were scarcely finished, when an Order came to arrest Count

Instability
of the Po-
pulace in
Muscovy.

Count *Charles Biron* and all his Family, and to publish the Regent's being turned out, and the Princess Mother made Regent; whereupon the People made as great Rejoicings upon his Disgrace as they had done upon his Advancement, and not only burnt him in Effigy, but shewed every other Sign of Contempt which Passion or Malice could invent. This is generally the Case with the Populace in all arbitrary Governments; for as they are governed by no Principle, their Favour depends upon Power only, and with Power is always transferred, without the least Regard to the Character or Conduct of the Persons degraded or advanced.

British Minister has his first Audience.

The Hon. *Edward Finch*, Esq; his Britannick Majesty's Minister Plenipotentiary to the Empress of *Russia*, being arrived at *Petersburg*, he had his Audience of her Czarish Majesty on the 8th of June. The Czarina sent one of her own Coaches and six, an Equerry, four Grooms on Horseback, two on Foot, and two Footmen, to conduct Mr. *Finch* to Court, where he was received at the Coach Door by a Gentleman of the Court, the Guards resting on their Arms, and conducted by him through the Garden to the Czarina's Apartment, at the first Door of which the Marshal of the Court and two Chamberlains received and conducted him to the Anti-chamber, where the Grand Marshal, Count *Leuenwold*, made him a Compliment from the Czarina; after which Mr. *Finch* was introduced by the Grand Marshal to her Czarish Majesty, who was seated on a Throne, the Duke of *Courland* as Grand Chamberlain on the right Hand, and the Prince of *Hesse-Homburg* on the left, the Ladies of the Court, all the Generals, &c. being also present. Mr. *Finch* having made his Compliments to the Czarina, was conducted to an Audience of Princess *Anne* and the Princess *Elizabeth*, and having paid his Compliments to them, as he also did to the Prince of *Brunswick*, he was reconducted Home in the Czarina's Coach.

Concludes a Treaty.

His Excellency pushed his Negotiations with such Dexterity and Address, that according to our Advices from *Petersburg*, a Treaty of Alliance and Commerce, most honourable and beneficial for this Kingdom, was concluded and signed but not ratified, before the End of the Year.

CHAP.

C H A P. VII.

*The most important Occurrences in SWEDEN
and DENMARK.*

IN our Annals for last Year, we mentioned the Swedish Negotiations at the Ottoman Porte. These Negotiations at last terminated in the following Treaty, which was concluded and signed at *Constantinople* the 22d of December 1739, and has since been ratified by both the contracting Powers.

Swedish
Treaty with
the Porte.

*The Treaty of Confederacy and defensive Alliance between
the most Serene and most Potent King and Kingdom of
Sweden, and the most Serene and most Potent Emperor
of the Turks and the Sublime Ottoman Porte.*

Article I.

TH E Friendship which has subsisted hitherto between the most serene and most potent King *Fredric* and the Kingdom of *Sweden* on the one Part, and the most serene and most potent Sultan *Mahomet Kan*, Emperor of the *Turks* and the Sublime *Ottoman Porte* on the other Part, shall be sincerely, constantly, and perpetually continued: Therefore both the most serene contracting Parties promise firmly and sincerely that they will always make it their Care not only to cultivate and corroborate this same Friendship and Alliance after a strict Manner, but also to promote the Advantages, Interest, and Tranquillity of both Parties, and with all Diligence to remove every Thing that may be detrimental to either.

Article II.

Forasmuch as both these Confederate Empires, *viz.* the *Swedish* and the *Ottoman*, are at perpetual Peace with the Empire of *Russia*, yet if by any unexpected Event the Empire of *Russia* should in Contempt of the Treaties undertake any Thing against one of the two Empires, then both the Empires in Alliance shall not only

only put each other in Mind of the present Treaty sincerely and without Delay, but shall also reciprocally give each other wholesome Advice to repel and put a Stop to such Hostilities.

Article III.

Whereas this inoffensive Treaty of Friendship and Alliance is concluded for no other End but for the Security of the two Empires and the Tranquillity of their Subjects, 'tis therefore agreed that the said Treaty and Alliance of Friendship made between the two Empires shall be observed, whenever it be necessary, and the Case shall require, with all the timely proper and necessary Aids.

Article IV.

Whereas both these confederate Empires, the *Swedish* and the *Ottoman*, have promised to observe the Treaties of perpetual Peace made with the Empire of *Russia*, and to give it no Occasion for Enmity, which is also to be hoped on the Part of the said Empire of *Russia*, in Consequence of the Precaution mentioned in the preceding Article, and for the Security of future Time, so it has been thought useful and necessary, between the *Swedish* and the *Ottoman* Empires (according to the Manner and Custom of other well-constituted Kingdoms) to add also this defensive Alliance to the Treaty of Friendship first concluded, and to agree that the same be observed for ever; the View of which said Alliance is no other than a mutual Security. Therefore if the *Russian* Empire, which God forbid, should offer to break the Peace made with these confederate Empires, and in any Manner to disturb their Tranquillity, and the Thing should be plain and evident, then both the confederate Empires, the *Swedish* and the *Ottoman*, shall immediately take all the Care they can to prevent a Rupture: And if this cannot be done, then according to the Rules of Equity they will be under a Necessity of attacking the Empire of *Russia* jointly, and of making all the Efforts possible to procure a just and speedy Satisfaction.

Article V.

If the Empire of *Russia* shall attack the *Swedish* or *Ottoman* Empire, and the same be notified to either of the confederate Powers, such Attack and Hostility shall be deemed as committed against both the two Parties, and according to the Tenor of the fourth Article, the Aggressor shall be heartily attacked both by Land and Sea with the necessary Forces, according to the Expediency of the Time and Case; and there shall be no Ceasing of Hostilities and Enmity on either Side, till just Satisfaction is obtained.

Article VI.

By virtue therefore of the present Treaty, if we hear that the *Russian* Empire attacks the *Ottoman* Empire, the most serene King and the Kingdom of *Sweden* promise to make War against *Russia* without Delay, in the Manner, and with the Forces, which Time and Circumstances shall render necessary; and not to desist from a Diversion of that Nature, till just Satisfaction is made. In like Manner, if we hear that the Empire of *Russia* attacks that of *Sweden*, the *Ottoman* Empire also engages according to the above-mentioned Agreement, to attack the *Russian* Empire without Delay, with the necessary Forces, as the Time and Circumstances shall require; and not to desist from such Diversion, before just Satisfaction be obtained. Therefore each of the most serene Parties oblige themselves upon their Royal and Imperial Parole, to hearken to no Proposol of Peace on the Part of the Enemy, without communicating the same to the other Party, and having his Approbation, nor to make any separate Peace: And after the Time when, by the mutual Consent of the confederate Parties, a Peace shall be made, this present Treaty of defensive Alliance, and all the Articles thereof, shall always remain in Force and be observed.

Article VII.

As this Treaty has no other End but a mutual Security and Tranquillity, and to prevent the Effusion of human Blood, it is mutually agreed that other Kingdoms

doms may if they please enter into it, and that they may be invited to accede to it.

Article VIII.

The Kingdom of *Sweden* having concluded a Treaty with the States of *Algier* and *Tunis*, and being about to conclude another with the States of *Tripoli*, and the said *Western* States being dependent on the *Ottoman Empire*, the Sublime *Porte* shall give them Notice of this Treaty, and command them to observe it.

Article IX.

The Observation of the Treaty of Commerce heretofore concluded between the two Empires, is confirmed by the present Treaty; and the Subjects of the *Swedish* Empire shall enjoy the same Protection, and the same Immunities, as the Subjects of other Christian Powers enjoy in the *Ottoman Empire*, who are in Amity with the *Porte*.

In four Months Time, or sooner, we promise to exchange the Capitulation and Ratification of the present Treaty of Alliance here at *Constantinople*, and amicably to communicate the said Treaty of defensive Alliance to the Empire of *Russia*. In Witness whereof, We the underwritten Ambassadors Extraordinary and Plenipotentiaries of the most serene King of *Sweden* to the Sublime *Porte*, have, by Virtue of our full Powers, signed the present Treaty, and thereto set our Seals and Subscriptions, and have delivered it to the Ministers of the Sublime *Ottoman Porte*, and exchanged it with the Original written in the *Turkish* Language, and signed and sealed with the Arms of the Magnificent and most Excellent Grand Vizir of the *Ottoman Empire*, by Virtue of the full Power annexed to his Office.

Dated at *Constantinople* the 22d of December, in the Year of our Saviour 1739.

CARL. HOPKEN. Z. CARLSON.

Medals
struck by the
two Parties
in *Sweden*.

As there was in *Sweden*, and still subsists, a great Animosity between the *Russian* and *French* Parties, we had in May last the following Account of them in a Letter from a *Swedish* Gentleman at the *Hague*, viz.

Two

Two satirical Medals have been struck at Stockholm, upon the Events that have happened there, during the Continuance and since the Sitting of the last General Diet; wherein there were two Factions, one whereof was called the *Night-Caps*, which was composed of the former Ministry, who were of the *Russian Party*, and had this Name given them because they met their Partizans secretly in the Night. Those of the other Cabal, who were in the *French Interest*, were, for the contrary Reason, meeting publickly in the Day-time, called the *Hats*. This Faction, having gained the Superiority in the Diet, struck a Medal, which represented on one Side a Night-Cap upon the Ground, turned upside-down, and on the other Side a Hat exalted in the Air, with the Motto, *Der Lobn der Tugend, THE REWARD OF VIRTUE.* The Face of Affairs afterwards changing, and the discarded Ministry beginning to get Ground again, another Medal has been struck, upon one Side of which is represented a Night-Cap mounting in the Air; and on the other, a Hat on the Ground, with the Crown downwards, upon the Brim whereof is a Cock, which is befouling the Inside of it, and has the two following Lines:

*Der Teufel böhl den Hahn,
Der das in Huth gethan.*

The Construction of which is, *The Devil take the Cock, he has shat in the Hat.*

As the *Russian Party* thought they might gain some Advantage from the assembling of a new Diet, it was strongly insisted upon by some of their Friends in the Senate, but always carried in the Negative: However, at last Count *Gyllenberg*, the Prime Minister, having, we suppose, first felt the Pulse of the Nation, resolved to give them what they desired, and therefore, in the last Week of July, he rose up in the Senate, and in a long Speech shewed the Necessity of calling a Diet extraordinary, upon which it was unanimously resolved on by all present, and upon the 27th of August the *Universalia* for summoning an extraordinary Diet to meet at Stockholm upon the 15th of December were published,

An extra-
ordinary
Diet.

and sent through the Kingdom. The Diet assembled accordingly, and on the 19th, the Order of the Nobility assembled in the Hall of the Knights, and chose for Marshal of the Diet Lieutenant General Count *Charles Emilius de Lewenau*; and next Morning the other Orders of the Diet assembled and chose their respective Speakers.

A secret Committee chosen.

In Sweden, the chusing of a secret Committee of the Diet is so far from being a Proceeding of an extraordinary Nature, that the chusing of such a Committee every Diet is a Part of their Constitution; for the first Thing they do after their Meeting, is to chuse such a Committee, before whom all Publick Papers and Transactions from the Dissolution of the last Diet must be laid by the King and his Ministers, let them be of never so secret a Nature. This, indeed, ought to be a Regulation in all Countries where there is a Diet, or any such numerous Assembly; for without this the Nation will always be exposed to one of these two Inconveniences, That the Secrets of the Government must be discovered, or the Diet be deprived of those Lights which are necessary for enabling them to pass any Judgment upon the Conduct of past Affairs, or to give their Advice with Regard to future. This the Swedes have wisely provided against, by making it necessary to have a secret Committee chosen at the Beginning of every Diet; and accordingly the Diet having proceeded to the Choice of this Committee, the List of those who were chosen was, upon the last Day of this Year, opened and read in the Assembly, and the Persons so chosen were sworn in, being mostly, if not all, of that Party called the French Party.

An useless Edict for Secrecy.

It was pretty remarkable, that some Time before the Meeting of the Diet, his Swedish Majesty issued an Edict, by which all Persons were forbid, under severe Penalties, to hold any Correspondence with foreign Nations, or to give Intelligence of any Thing that might be proposed or debated in that Assembly; and the Post-Masters were ordered to stop the Letters of all, except Ministers and Foreigners, in which they should suspect any such Intelligence to be contained. What Advantage the Government or Nation could reap from this Edict, is not easily to be comprehended; for it is

from the Intelligence given by foreign Ministers only, that a Nation can suffer, and as this cannot be stopt, where foreign Ministers are allowed to reside, the stoping of all other Intelligence is laying a Restraint upon the People, which can be of no Service to the Government or Nation.

In May last, there was published at *Copenhagen*, an Edict of his Danish Majesty, whereby he prohibited as well his own Subjects as foreigners, from trading to, or approaching within 15 Leagues of the Coasts of any of his Colonies in *Greenland*, &c. in Prejudice to the *Greenland Company* established by his Charter, who had thereby a Power granted them to commit Hostilities against all such as should act contrary to that Edict; and in Pursuance thereof some *Dutch Ships* were seized upon the Coasts of *Greenland* and *Iceland*; but upon Complaints from the *States General* they were set at Liberty.

*Danish Edict
against the
Dutch, &c.*

The French finding an Inconvenience in having no Place but *Britain* or *Ireland* to resort to for salt Beef and other Provisions for their Ships and Plantations, made some Overtures last Autumn to the College of Commerce at *Copenhagen*, whereupon M. Bram was sent to *Paris* with proper Instructions from that College, and in Pursuance of those Instructions he contracted with the Merchants of *Bourdeaux*, to send them every Year from *Jutland* 6000 Tons of Beef, at a certain Price specified in the Contract; but those Merchants may probably find it very difficult to dispose of their *Jutland Beef*, when there is an open Trade for that Commodity with *Britain* and *Ireland*.

*French con-
tract with
the Danes
for Beef.*

In March last, there was an Insurrection in *Danish Holstein* occasioned as follows. ' The King of *Denmark* having resolved to establish a regular Militia in the *Dutchy of Holstein*, every Bailiwick was rated to furnish a certain Number of Men for that Purpose; but the Inhabitants of the County of *Dittmarffen* refused to deliver their Contingent, upon Pretext that they had obtained Letters Patents, above fourscore Years since, which exempted them from it, upon Condition of paying a certain Sum of Money into the *Exchequer*. This Pretension was so effectually supported by Force of Arms by the People of the Bailiwick of *Meldorf*; that

*Insurrection
in Danish
Holstein.*

' a Detachment of Foot being sent against them, were
 ' repulsed with some Loss: However, the Commissioners
 ' sent into the Country to take Cognizance of this Affair,
 ' found Means to content the Inhabitants, without any
 ' Prejudice to his Danish Majesty's Rights.'

This is a Misfortune incident to all Countries: The People will neither be at the Trouble and Expence of breeding themselves to military Discipline, nor will they willingly contribute to the Expence of keeping up standing Armies to fight their Battels for them.



C H A P. VIII.

Of the Affairs of the UNITED PROVINCES.

Dutch agree
to an Aug-
mentation
of their
Troops.

AS the Dutch have kept themselves entirely neutral in all the late Bustles that have happened in Europe, without fitting out any Squadrons, or entering into any Negotiations or Treaties, but such as they have been invited into by their Neighbours, and admitted upon their own Terms, we have nothing of any great Importance to give an Account of from thence; the most material being that of an Augmentation of their Troops, and the fitting out of a few Men of War, which after long Deliberation was at last agreed to by all the Provinces in April last, upon Condition, that the Augmentation should be made in the most frugal Manner, by adding a few private Men only to each Company, and that the Ships should not be employed in the Service of any foreign Power.

Two Dutch
Ships taken
by the Spa-
niards.

The Spaniards continue to make free with some of the Dutch Ships both in America and Europe. In the former Place, on Pretence of their being concerned in an illicit Trade, and in the latter, on Pretence of their having British Goods on Board. Of the latter Sort we had in September last an Account of two Instances, a Catalan Privateer of 18 Guns and 140 Men, having carried two rich Dutch Ships into the Port of Messina, one commanded by Capt. Lingster, and the other by Capt. Veering. The following is the Purport of a Let-

ter from the former. ‘ Having sailed from *Galipoli* the 26th of July, with my Lading of Oil, for *Rotterdam*, I was taken the Day following by a Privateer of *Barcelona*, *Pau! Gomez*, who carried me to *Messina*, after having broke open our Coffers and Chests, robbed me of my Clothes and all that I had, and got Possession of my Letters, and other Papers.’ Capt. *Verring* writes to the following Purpose. ‘ Eight Days after my Departure from *Trepani*, I had the Misfortune to fall into the Hands of a *Spaniard* Privateer of eighteen Guns, which three Days before had taken Capt. *Lingster’s* Ship, and which carried us both into *Messina*. The *Spaniards* took away all my Effects, as well as my Papers, and a Passport from *Algiers*, with which I was provided. As I had been taken some Time before by another *Spaniard* Privateer, which carried me to *Ceuta*, from whence I was afterwards released, after the necessary Documents had been sent to *Cadiz*, I produced my Sentence to the Captain who carried me into this Port, but he took no Notice of it. Both Capt. *Lingster* and myself are at our Consul’s, who has our Affair much at Heart.’ These Letters were dated the 1st of August.

But their High Mightinesses seem to bear all these Insults with a most extraordinary Patience, contenting themselves with Remonstrances only to the Court of Spain, in which they sometimes succeed, and sometimes meet with nothing but Promises of Redress. Whether this Patience be as prudent as it is extraordinary, Time will discover; for if Spain presumes to treat them so, now it is engaged in a War with Great-Britain, it will probably shew them less Complaisance when that War is at an End.

November the 22d, there was a Fog at *Amsterdam*, which, even in *Holland*, was a most extraordinary one; for though the Sun was not set, it became so dark, that it was impossible to discern any Thing in the Streets; and near fifty Persons, by mistaking their Way, fell into the Canals, some of whom were drowned.

A most extraordinary Fog in Holland.

C H A P. IX.

Of the most important Transactions in TURKEY, ASIA, and AFRICA.

A Tumult
at Constantinople occasions a
Change in
the Adminis-
tration.

ON the 3d of June there happened a Tumult at Constantinople in that Quarter of the Town where old Clothes are sold, of which, and the Causes and Consequences thereof, the following Letter from Constantinople gave us the best Account.

THE Crim and the neighbouring Provinces bordering upon Constantinople, being destitute of Corn and Cattle, by Reason of the long Stay of the Turkish and Muscovite Armies upon the Premises, and the Spoil they made of the Produce, the Ministers of the Porte, notwithstanding all the Care they took that Provisions might be cheap in this City, could not prevent the Bulk of them from rising to an extravagant Price, which made the Populace murmur to such a Degree that nothing less than a Rebellion was apprehended for a good while.

The late Mufti, who after his being deposed, retired to a Country Seat upon the Canal of the Black Sea, was attacked there some Time ago by 30 Persons, who set Fire to his House. The Incendiaries were a seditious Gang who had a Plot on Foot, and because they could not obtain the Mufti's Decision for a Sanction, set his House in a Flame. On the 13th of June a Dozen of Persons who entered into the Plot, and took upon them to be the principal Agents, came into the Brazefield of the Friperie, or Rag-Market, with an Emir at their Head who was a Descendant of Mahomet; and under Pretence of buying Sabres, distributed them among one another without paying for them. The Emir taking a Green Standard out of his Bosom, put it at the End of a Wand, calling out for every Mussulman to repair to it, and follow him. There was a sudden Consternation spread through all the Quarters of Constantinople, by the Haste

Haste which was made by all the Tradesmen of the City to shut up their Shops. The Rebels advancing, in Hopes that their Numbers would increase by the Way, defeated the first Guard that opposed their Passage ; but the Commander of the second Guard stopped them, and knocked their General on the Head with his Mace ; upon which all the rest were surrounded and taken Prisoners. The Ministers of the *Porte* were then, for most Part, at their Country Seats, because it happened to be their Day of Furlough. The Ni-changi, who was formerly Kaitmacan of *Constantinople*, returning thither, and finding a Mob got together, fell upon them Pell-mell, and killed some of them with his own Hand. The Grand Vizier returning also from the Country, made great Search after the Rioters, of whom he caused a great Number to be apprehended who were assembled at the Bagnios. The Tumult being thus suppressed in the Bud, the Grand Signior returned from the Seraglio at Scutari to that of *Constantinople* ; after which he affected to appear in Publick more than usual : And having received the News of the Evacuation of Belgrade, he caused the Cannon of the Seraglio to be thereupon fired, to give the Populace an agreeable Amusement for healing their Animosity ; and a fresh Oath of Allegiance was required of the Janisaries, who were ordered to repair to their Posts, and all Persons that had been four Years at *Constantinople*, without being married there, were obliged to return to their own Countries ; which was executed so severely, that several thousands of useless and obscure People were transported to *Asia*, with a Prohibition to come back on Pain of Death. In short, the Tradesmen were forbid to shut up their Shops in Case of any fresh Insurrection, and were even enjoined to fall upon the Rebels, and knock them on the Head, without any Respect of Nation or Religion, with a Promise of Indemnity. On the 22d there was another Tumult in the *Rag-Market*, raised by the Janisaries, who complained of the Arrest of their Comrades, but it was soon quelled ; because the Tradesmen, in Obedience to the Grand Signior's Order, instead of shutting up their Shops, fell upon the Rebels, and knocked them

on

on the Head with Iron Bars, and the others were seized. The Grand Vizier, who then held a Divan, being informed of this Disturbance, made flight of it, and affected to delay Justice longer than usual, which Inaction of his was afterwards charged upon him as a Crime. The same Day Députies arrived from the City of Nicomedia, with a Complaint of Disorders which certain unknown Persons, who were banished to their Territory, began to commit there, and would infallibly continue, because they had no other Means of Subsistence.

All these Circumstances engaged the Men of the Law to wait directly upon the Grand Signior, with whom they had a Conference on the 23d of June in the Kiolk or Pavilion which is erected at the very End of the Seraglio. They there told him, that the Deposit of the Grand Vizir was a necessary Step for the Re-establishment of the publick Tranquillity. In Consequence thereof he was arrested the same Day at 2 o'Clock in the Afternoon between the two Gates of the Seraglio, and afterwards sent in a Galley to Smyrna, from whence he went to Gedda in Egypt. The Grand Signior's Resentment against him was not so strong but he allowed him to take all his Treasure and Effects with him, as also his Domesticks, and he has since made him Governor of Gedda.

Farther Accounts of Kouli Kan's Expedition into India.

In our Annals for last Year, we gave an Account of the Sopby of Persia's Expedition against the Mogul: To the Accounts we then gave, we shall now add what follows, which we had in a Letter from Ispahan dated March 2d. Thomas Kouli Kan did not return here till last Month from his Expedition to India. The Treaty he has concluded with Machmet-Chach, Emperor of the Moguls, is just published. In that Treaty the Great Mogul gives Kouli-Kan the Titles of Schach Nadir, King of Kings, King of Time, Refuge of the Mahometans, Model of Conquerors, Successor and Imitator of Alexander. The rest of that Piece is in Substance as follows: The Grand Schach Nadir having sent me an Embassador to treat about some Affairs, I did all that in my Power lay, to dispatch the Business as soon as possible. The Schach would never

never have been forced to send back *Mabomet-Kamour-Kan*, had it not been for the Negligence of my Ministers, who always deferred giving an Answer, and retarded the Ambassador, chusing rather to set us at Variance and sow Discord between our States, than obey my Commands. Wherefore, *Schach Nadir*, growing impatient at the long Stay of his Ambassadors, took a Resolution to come into my Dominions, we fought, Victory declared on his Side, and Fortune favoured him so far as to make him Master of my Empire. He entered *Dely*, which he likewise made himself Master of, secured my Person, seized upon all my Jewels, and, moreover, required me to give him an Account of my Revenues; but *Schach Nadir* having promised to restore me to my Throne, I hereby declare him lawful and sovereign Master of all the Countries situated between *Candahar* and the River *Indus*.

The following is the Estimate given by the same Letter of the Booty which he brought away from the *Mogul's Country*.

The Elephants, Camels, Artillery, Tents and Ammunition, taken in the different Actions, are valued at 75000000 Millions of *Livres*; 375000000 *Livres* were taken out of the Imperial Treasures; Jewels and precious Stones to the Value of 200000000 *Livres*; the Emperor's Bed of State 175000000 *Livres*; an Imperial Throne set with Diamonds 225000000 *Livres*; Plate set with precious Stones 275000000 *Livres*; Money and Jewels taken from the Wives and Children of the Emperor 7500000 *Livres*; the Plunder of the City of *Dely* 250000000 *Livres*; Contributions raised upon the Inhabitants 250000000 *Livres*; from the great Men of the Empire 250000000 *Livres*; from the two grand Favourites of the Emperor 40000000 *Livres*; and from the Estates of the Ministers and Favourites of the Great *Mogul*, who were put to Death at the Desire of *Thamas Kouli Kan*; the whole amounting to 2775000000 *Livres*. More than one full Moiety of these Riches was brought from the City of *Dely* alone. People would with

' with Difficulty believe what is above related, was it
 ' not that the Riches of *Indostan* were well known,
 ' and that its Manufactures and Produce brought in
 ' every Year vast Sums, both from *Asia* and *Europe*,
 ' which scarce ever go out again. *Thamas Kouli Kan*
 ' has likewise imposed on the *Great Mogul* an annual
 ' Tribute of 75000000 *Livres*; and has settled the
 ' annual Expence of the Court of that Prince at
 ' 110000000 *Livres*.'

Then the Letter proceeds thus :

' The weak and corrupt Government in the Mogul's Empire, produced this sudden Revolution to which History can hardly find a Parallel. The People groaned under the Tyranny of the Grandees. *Machmet-Chach*, is a Prince of so weak a Genius that he was little better than an Ideot, minded nothing but taking his Pleasure, and left the Management of all State Affairs to *Canderem* and *Camardikan*, his two Favourites, who studied nothing but how to heap up Riches: The Empire was destitute of Troops, the Generals charged to keep them up, sinking into their own Pockets the Money, appropriated for that Purpose. Rebels from the Coast of *Malabar* and *Coromandel* made now and then Incursions even into *Indostan*, where the little Resistance they met with, plainly shewed how easy it would be to invade that Empire. While *Thamas Kouli Kan* was pushing his Conquests in it with an Army of 80,000 Horse and 20,000 Foot; all well disciplined and enured to Toil, with 250 Pieces of Cannon, *Machmet-Chach* was at *Dely*, thinking himself in full Security, and imagining he had sufficiently provided in raising an Army of 200,000 Horse and 500,000 Foot with 15000 Elephants and 8000 Pieces of Cannon: But the Difference was, that the Mogul's Army was mostly composed of new raised Men, and was in Want of every Thing. The Battle of the 2d of February 1739, in which 100,000 Men, with Part of the Emperor's Family were killed on the Spot, decided the Fate of that Prince, and put the Empire in the Hands of *Kouli Kan*, who restored it to *Machmet Chach* by Virtue
 ' of

“ of the Treaty mentioned above. While *Kouli Kan*
“ was at *Dely*, Money was coined with his Effigy and
“ this Inscription, *Schach Nadir is born to be King of*
“ *the World; He is the King of Kings.*”

From *Africa* we have this Year nothing considerable, save that *Muley Abdallah* was like to remain peaceable Possessor of the Crown of *Morocco*; and that last Year the Plague had made terrible Havock at *Algiers*, having in the Months of *June, July, and August*, destroyed 40000 *Turks*, 1700 *Jews*, and about 200 *Christians*.

Accounts
from A-
frica.

The End of the Second B O O K.

T H E

The ANNALS of
EUROPE, &c.

BOOK III.

An Abstract of the most remarkable Political PAMPHLETS and other PAPERS published this Year.

AS there were but few very remarkable Pamphlets published this Year, I thought it unnecessary to divide this Book into Chapters, and with regard to those I think necessary to give any Abstract of, I shall be as short as possible, and shall observe a Chronological Order.

Abstract of a Pamphlet, intituled, Britain's Mistakes in the Commencement and Conduct of the present War, by a Merchant and Citizen of London. Printed for T. COOPER, at the Globe in Pater-noster-Row.

As, by my Busines and Conversation in the World,
I have many Opportunities of making my self acquaint-
ed, not only with the Commerce of Foreign Nations,
but also with the Strength and Situation of their Do-
minions, and the Relation they bear to each other, I
hope it will not be looked on as a Breach of Modesty
in me to say, that, I think, I am more capable of
knowing how they may be attacked or injured, than
a Country Gentleman, or an Officer of our Land Ar-
mies, who never was at much Pains to inquire into
the Situation or Circumstances of foreign Countries.
—Nay, if I should look upon my self as a better
Judge than some Ministers, and some such we have
bad, who have betrayed a most unpardonable Ignor-
rance

'rance in this respect, there could be no Ground, I think, for accusing me of Vanity and Self-sufficiency.

' And as from the *Call of the House* I suppose, that the State of the Nation will be brought under Consideration in this Session of Parliament, I think my self obliged in Conscience, and in Duty to my Country, to publish my Thoughts upon that Subject; because I think we have been guilty of most dangerous, if not fatal, *Mistakes or Neglects*, in the *Commencement and Prosecution* of the War we are now engaged in.

' I have no Access to, I have no Correspondence with, *Ministers or Under-Ministers*, therefore I have no way of communicating my Thoughts to them; and besides, I know that some of my Brethren, who have applied that way, imagine they met with no great Attention.—Some of the *Members of Parliament* I have the Honour to be acquainted with; but they are such as are so far from having an Influence upon the *Majority of either House*, that every thing they say is *industriously*, though I am convinced *falsly*, represented to proceed from Envy, Malice, or Disappointment, and that therefore no Regard ought to be had to it.—In these Circumstances, I have no Method but this, of communicating my Thoughts to those who ought to be made acquainted with them; and my doing it in this way will, I hope, be thought no Disrespect to his Majesty; for as the *Glory of his Reign depends upon the good Success and happy Issue of the present War*, the Affection and Esteem I have for my Sovereign, as well as the Love and Regard I have for my Country, render it, I think, incumbent upon me to shew, in the most publick and the most effectual Way I can, that, if one may judge of our future by our past Conduct, we are in Danger of being obliged to conclude this War by a *dishonourable and destructive Peace*, or to carry it on in the most tedious and the most ruinous Manner.

' In order to make this Danger the more apparent, I shall shew what Methods we might, in my humble Opinion, have taken for putting a *speedy and honourable End to the War*; in the doing of which I shall give the Reasons for every Step I propose; and then I shall in the most respectful manner, that is possible, consider

' consider the Methods we have hitherto taken for defending ourselves or annoying the Enemy : After which I shall state and answer such Objections as may be made against the Methods which I think we ought to have taken in commencing and prosecuting the War ; and conclude, with shewing the dangerous State we seem to be in at present.'

He says, as to the Methods we ought to have pursued, that our Ministers ought to have begun, before the End of *March*, to prepare, at least in a private manner, for War ; because our Ministers by that time knew, it was become inevitable. That when the War was begun, we ought to have fitted out a great Number of fourth, fifth, and sixth Rates, or armed Sloops, for the Protection of our Trade, but that we had no occasion to fit out any first Rates, nor any great Number of second or third Rates ; by which means we might have raised the small additional Number of Seamen we had occasion for, without either embargo or pressing. He shews next, that our Orders for Reprisals ought to have been issued in the most private manner, and immediately after Spain's failing to pay the 95000*l.* stipulated by the Convention ; and that upon Spain's issuing counter Reprisals, we ought presently to have declared War, and to have sent a proper Force for attacking their Settlements in the *West Indies*.

As to the Methods we actually did take for beginning and prosecuting the War, he first observes, that no Nation ever declared War, or published Orders for Hostilities, till they were ready to undertake some important Expedition against the Enemy. This he confirms from several Examples in History, particularly our own ; and after shewing the Wisdom of Queen Elizabeth's Conduct, he shews the Weakness of our Conduct for several Years prior to the present War. After which he observes, that instead of beginning to prepare for War in *March*, we did not begin till *June* : That we began to prepare in the most publick and oppressive manner ; and, both at home and abroad, behaved as if we intended to give Notice to the Enemy to be upon their Guard, and to provide for their Defence : That though we sent a Squadron to the *West Indies*, we did not send any

any regular Troops, nor any Force proper for making a successful and vigorous Descent; and that we fitted out a much greater Number of large Ships, and a much smaller Number of 20 Gun Ships and armed Sloops than we had occasion for in a War with Spain, in proof of which he gives us the following List of Ships that were in Commission, and the Places at which they were stationed in the Month of *August* 1739, which, he says, he had good Reason to believe to be a true List, *viz.*

Ships stationed at Home.

Rates.	Ships.	Rates.	Ships.
Second,	Namur,	Fourth,	Chatham,
Third,	Princess Caroline,		Dunkirk,
	Russel,		Ruby,
	Buckingham,		Severn,
	Grafton,		Advice,
	Prince of Orange.		Panther,
	Orford,		Tilbury,
	Boyne,		Defiance,
	Cumberland,		York,
	Princess Amelia,		Rippon,
	Norfolk,		Rochester,
Fourth,	Sunderland,		Lichfield,
	Affistance,		Bristol,
	Newcastle,		Winchester,
	Portland,	Fifth,	Pearl,
	Lyon,		Ludlow,
	Superbe,	Sloops,	Bonetta,
	Weymouth,		Cruiser,
	Deptford,		Fly,
	Warwick,		Hound,
	Argyle,		Otter,
	Tyger,		Spy,
	Greenwich,		Trial,
	Centurion,		Swift,
	St. Albans,		Royal Escape
	Colchester,		Aldemyn.

Ships stationed in the *Mediterranean.*

<i>Rates.</i>	<i>Ships.</i>	<i>Rates.</i>	<i>Ships.</i>
<i>Third,</i>	Somerset, Lancaster, Berwick, Edinburgh, Ipswich, Lenox, Elizabeth, Kent,	<i>Fourth,</i>	Augusta, Pembroke, Jersey, Oxford,
<i>Fourth,</i>	Canterbury, Dragon, Plymouth, Glocester, Chester, Falkland,	<i>Fifth,</i>	Eltham, <i>Sixth,</i> Dursley, Dolphin, Greyhound, Garland, Kennington, Alborough, Solebay, Grampus.

Ships stationed at *Jamaica.*

<i>Rates.</i>	<i>Ships.</i>	<i>Rates.</i>	<i>Ships.</i>
<i>Third,</i>	Burford, Hampton Court,	<i>Fifth,</i>	Diamond, Torrington,
<i>Fourth,</i>	Windsor, Worcester, Strafford, Princess Louisa, Falmouth, Norwich,	<i>Sixth,</i>	Sheerness, Shoreham, Blandford, <i>Sloops,</i> Drake, Spence,

Ships stationed at *Newfoundland.*

<i>Rates.</i>	<i>Ships.</i>	<i>Rates.</i>	<i>Ships.</i>
<i>Fourth,</i>	Rumney,	<i>Sixth,</i>	Deal Castle,
<i>Fifth,</i>	Adventure,		

Ships

Ships stationed in the *West Indies* in general, and in
Africa.

Rates.	Ships.	Stations.
Fourth,	Salisbury,	<i>Africa</i> .
Fifth,	Roebuck,	<i>Barbadoes</i> .
	Anglesea, } Lowestoffe, }	<i>Antigua</i> .
	Hector,	<i>Virginia</i> .
Sixth,	Flamborough,	<i>New York</i> .
	Squirrel	<i>New England</i> .
	Phoenix, }	<i>Carolina</i> .
	Tartar, }	<i>Leeward Islands</i> .
	Saltash,	
Sloops,	Wolf,	<i>Virginia</i> .
	Hawk,	<i>Georgia</i> .

In answer to the Objections that might be made against what he proposed, he shews, that if we had begun early enough to prepare, we might have had Seamen sufficient for all the Ends he proposed: That we neither were, nor could be in any Danger of an Invasion, and therefore had no reason to provide against it, much less to retard, on that Account, our Preparations for pushing the War with Vigour: That no Nation in *Europe* had a Right, nor could any Nation but *France* attempt to prescribe Limits to our Arms; and that if *France* did attempt any such thing, we ought to have risked their declaring against us, rather than submit to be dictated by them. ‘ I shall grant, says he, it would be both dangerous and expensive for us, to stand single and alone in a War against *France* and *Spain*.—

‘ What then?—Could we in Honour avoid engaging in the War?—Must we lye down and die for Fear, because we think we are over-matched?—
‘ Would such a Conduct look like the Spirit of the English Nation?—The *Manes* of our Ancestors, who came off Victors from the glorious Fields of Agincourt, Poitiers, and Winnendale, notwithstanding the vast Inequality of Numbers, would rise up in Judgment against us.—Therefore with them, let us resolve to

cut our Way with our Swords, through the Multitude of Foes that surround us, or die gloriously in the Attempt.

But here, I know, the Danger of an Invasion from France, with the Pretender at it's Head, will be repeated upon me, and represented in the most hideous Light.—Though I have already answered this Objection, yet give me leave to observe, that this Bugbear could never be made use of with less Weight than in the present War.—It is the most genuine English War that this Nation has been engaged in, ever since the Days of Queen Elizabeth.—It has united the Hearts of the whole Nation in Affection and Duty to his Majesty; and if the Conduct of it had been put into the Hands of a popular Administration, it would have united the Hands and the Purses of the People in a vigorous Prosecution, and in repelling every Invasion, every Attack, that could give the least Interruption to that Prosecution.—Let us but give Satisfaction to our People, with regard to their Liberties, and take care to arm and discipline the Militia, single and alone we shall have no occasion to fear the united Power of France and Spain.—We shall then stand in no need of a numerous Standing Army for keeping out the Pretender, and much less of foreign Auxiliaries.

As for the latter, I hope I shall never see any more of them brought into this Kingdom, for that or any other Purpose.—It is difficult,—It is almost impossible to prevent their mistaking a Friend for a Foe, where a little Booty is to be got; and therefore in all our Civil Dissentions, even when actual Rebellion breaks out, our Government ought to trust it's Defence to it's own People.—New Regiments ought to be raised, or any Method taken, rather than call in foreign Troops.—It is ridiculous, as well as dangerous, to call foreign Troops to our Aid, whilst a great many of our old brave Officers are starving upon Half-pay; and multitudes of young Gentlemen languishing under the low Character and scanty Subsistence of Subaltern Officers in our Army. By raising new Regiments, instead of calling in foreign Troops, the former would be provided for and the latter advanced.—A violent

' violent Spirit of *Disaffection* rendered it excusable in
' the late Reign; but though then practised for the Sup-
' port of the Royal Family against a *disaffected Party*, I
' hope I shall never see it practised for the Support of a
' Minister against the *Discontents of the whole People*.—
' This the Gentlemen of the Army should themselves con-
' sider of; for if ever foreign Troops should be called in
' to support a Minister against an *Insurrection of the Peo-*
' *ple*, they may be probably kept here to secure the same
' Minister against a *Mutiny in the Army*.

Then he goes on to shew, that the most certain Method for preventing *France's* joining with *Spain* against us was, to have formed an Alliance with the most powerful States upon the Continent, and that this could not be done without first making a thorough Change in our Administration, because our Ministers, by their late Conduct, had forfeited the Confidence of almost every Power in *Europe* except *France* and *Spain*. This Change, he admits, the Crown had the only Right to make, but the Parliament might and ought to advise the Crown to make it; and therefore he concludes thus: 'Our Contest now, is not about who shall be in, or
' who shall be out:—It is now about the Salvation
' of our Country; and I hope no Man will think, that
' the Gratitude he may owe to Ministers, should, up-
' on any Occasion, prevail with him to make a Sacri-
' fice of his Country.—If those that are now in
' have, by cultivating too long and too close a Corre-
' spondence with *France*, rendered themselves obnoxio-
' us to our ancient and most natural Allies, they must
' be out, or their Country may run the Risk of being
' sacrificed to their Continuance in Power.—If this
' be the Case, they can no longer hold it, but by the
' Friendship of *France*, and the enslaving of their Coun-
' try.—In such a Dilemma, if they are sensible of
' their being brought into any such, and have the least
' Regard for their Country, they will voluntarily resign
' their Power, rather than hold it by such a dishon-
' ourable Tenure.—If they should not in such a
' Case do it voluntarily and freely, our Parliament may
' interpose, and by that Means they ought to be made
' to yield to those who may be more acceptable to the
' foreign Powers whose Friendship we now stand so

much in Need of. — But suppose there were no foreign Cause for a Change, surely the People have more Reason to place a Confidence in those who desire to render it almost impossible for any Minister to screen his Conduct from a legal, a strict, and an impartial Inquiry, than in those who insist upon it as a Part of our Constitution, that the Conduct of no Minister shall or can be fairly inquired into, so long as he has the Cunning and good Luck to preserve the Favour of his Prince; which I am sure will be the Case, if it should ever be in the Power of a Minister, to have a Majority of Place-men and Pensioners in the House of Commons. — And I will aver, that during a dangerous foreign War, it is absolutely necessary to have the Administration in the Hands of those, in whom the People are most likely to place an entire Confidence. — Under a hated or despised Administration, we can expect no Conduct in our Officers, we can expect no Spirit or Courage in our Sailors or Soldiers: Every Campaign may make a Sacrifice of a General, as happened in the Emperor's late War against the Turks; but a few unfortunate Campaigns will at last make a Sacrifice of our Country. — To which I must add, and with this I shall conclude, that it would highly contribute to the Establishment of our Credit at foreign Courts, to the Satisfaction of our People at Home, and to the Weight of every Resolution we may take, were it publickly known, that the Heir apparent to our Crown affested at all our Councils, and that he was one of the chief Advisers and Promoters of all the Treaties we conclude, and of all the publick Measures we resolve to pursue; for it would be a Satisfaction to our People to see the Prince learning the Art of Government before he came to have Occasion to practise it; and it would be an Assurance to our Neighbours, that his Royal Highness's Accession to our Crown would produce no Alteration in our Measures; so that our Enemies could from thence entertain no Hopes, nor our Allies any Fears.

Soon after this, another Pamphlet was published by the same Author, intitled, *A Supplement to BRITAIN's Mistakes, &c.* in which he answers some Objections that had

had been made to the former, and shews, that it was not possible to suppose, Mr. Vernon had any express Orders for attacking *Porto Bello*, and that his Success there, shewed what an Advantage we might have made, had we sent a Land Force to the *West Indies* at the Beginning of the War.

In the Month of *August*, a Pamphlet was published, intituled, *A serious Remonstrance to the Publick, in regard to many bold uncommon Insults and Reflections lately published against the Government, &c.* Printed for J. ROBERTS in Warwick Lane. This Author, after asserting that the Press enjoys more Freedom than it did in Queen *Elizabeth's* or *Oliver Cromwell's* Days, goes on thus: ‘ As to the Freedom of the Press, it is one of those undoubted Branches of Liberty, to which, as a free People, we have a natural Right: it is a Liberty we do, and ought to enjoy, and I hope ever shall, so far as it regards and conveys to us a thorough Knowledge of Men and Things; and so far as it relates also to the Support of Truth and Detection of Falsity: Thus far we have an undoubted Right to the Liberty of the Press; and I hope there is none who will alledge, that I don't, in this Conception and Latitude, allow of it's utmost Scope and Limits; because I would be understood to comprehend all the useful Advantages we can reap from the Exercise of the Press, as to an universal Knowledge of Arts and Sciences, and the true Nature and State of Things. But, for God sake, what has the Press to do with Scandal, Defamation, and Falshood? The Press was never intended to poison the Minds of Mankind with idle Ideas; false-grounded Allegations one against another; or, to teach us Disrespect and Disobedience to those we are lawfully governed by! Amusement and Instruction are the beautiful Flowers we ought to gather from the Press, and to despise all Subjects whatever that discover the least Tendency to the contrary. Therefore, the Press, as well as the most extensive Liberty upon Earth, may be prostituted to bad Purposes, by Men who are obstinately determined to pervert Truth into Falshood, purely for the Sake of Slander, and envious Opposition: In support of which Assertion, I am content to stand or fall, by the defamatory,

Abstract of
a Pamphlet,
intituled, *A
serious Re-
monstrance
to the Pub-
lick, &c.*

matory, unjust Writings, and Arguments of the Authors I have just before mentioned.'

The rest of the Pamphlet is a continued Chain of Assertions without any Proof, and without mentioning one defamatory Sentence from any Pamphlet or Paper lately published; therefore he adds a Postscript, and there takes Notice of an Article of News in one of our News Papers, occasioned by the Disaster that happened to Sir John Norris's Ship*, as follows, *viz.* ' In the Champion of the 26th of July, the Author, among other impudent Reflections upon the Government in general, and quoting an old fashion'd Motto, which he tells his Readers belonged to Oliver Cromwell, goes on in the following Strain: " All Accounts, however, (says he) agree, that the Volunteer so highly and justly extolled for his Calmness and Intrepidity, on this alarming Occasion, was so far from betraying the least Emotion of Concern, that notwithstanding the prodigious Shock, and the Noise and Confusion which followed it, *He never WAK'D all the Time.*" Judge, my worthy Fellow-Countrymen, the unparallel'd Impudence and Presumption, of this Champion of a Fellow! A Fellow, who under many Reigns, which he and his Co-adjudors have extoll'd for Liberty of Speech, and Freedom of Writing, would, at least, have had Thirty-nine just Lashes of the Law, or his Ears nailed to the Pillory, for taking such infamous and unjust Freedoms, where so Great a Person as one of the Blood Royal was so immediately concern'd.'

About the same time, a Pamphlet was published, intitled, *The Consequences of Trade, as to the Wealth and Strength of any Nation, &c.* Printed for T. COOPER. The Author begins with an Address to the Lords Regents, wherein he says, if I speak with some Emotion, it is not that I forget the Height of your Station, or the Lowness of my own, but because I am afraid lest we should soon be brought upon a Level, by being involved in one common Ruin. Under this dreadful Apprehension, but too well grounded, I do most earnestly beseech your Lordships to examine particularly into the State of the Woollen Trade, and to employ your Wisdom in finding out some effectual Method to recover it. Very certain I am, that unless you do,

Abstract of
a Pamphlet,
intitled,
*The Conse-
quences of
Trade, &c.*

* See before, Page 208.

his Majesty will not long continue to be our King, nor we continue to be a Free People. We shall unavoidably fall a Sacrifice to the Ambition of France; and our Destruction will as necessarily be followed by that of Europe.'

What he proposes by his Pamphlet is, he says, to help his Fellow Countrymen to form a right Judgment of their Case, that they may be awakened out of their Lettargy, and animated to take speedy Measures for their Recovery. ' And for this Purpose, says he, I earnestly desire them to consider the following Particulars.

' 1. The Consequences of *Trade* as to the *Wealth* and *Strength* of any Nation.

' 2. The Consequences of the *Woollen Trade* in particular; the great Superiority of it over all other Branches of Trade.

' 3. The present State of it in *England* and *France*; the vast Loss which we sustain yearly by it's great Decay among us, and the immense Gains of the *French* by their Improvement of it.

' 4. The Danger we are in of becoming a Province to *France*, unless we immediately take care to recover our *Woollen Trade*, by preventing the Exportation of *unmanufactured Wool to Foreigners*.

As to the first, he shews from the Histories of the *Jews*, *Tyrians*, *Carthaginians*, *Flemings*, *Hollanders*, *French*, &c. how the Wealth and Strength of a Nation increases or decays with their Trade. As to the second Point he shews, that three Packs of Wool, in manufacturing, will employ 450 Persons for a Week, who will earn by their Labour 112*l.* 10*s.* That by exporting our Wool, the Price of it has been run down from 12*l.* the Price it bore in King *William* and Queen *Anne's Reigns*, to 5*l.* the Price it now bears; by which the Sheep Master loses 140*l.* upon every 20 Packs; and as the Labour in manufacturing 20 Packs, at 3*s.* each Pound amounts to 720, consequently the Nation loses 860*l.* for every 20 Packs exported unmanufactured. After which he computes, that by the Quantity of Wool exported to *France* yearly, this Nation loses 42,000,000*l.* Sterling yearly, and that as one Pack of our Wool enables the *French* to work up two Packs of their own, which they could otherwise

otherwise make little or nothing of, the French must get at least fifty two Millions and a half Sterling by the unmanufactured Wool they steal from us.

The Author then shews the great Danger we are in from the Increase of the Wealth and Strength of France, and after giving a History of Mr Webber's Application for having his Scheme for preventing the Exportation of Wool carried into Execution, he adds thus : ‘ By way of Conclusion, there are two Sorts of People that I would apply myself to. Those who really mean to stop Wool, and those who do not. It may seem to some a very strange Supposition to imagine that there can be any Man in England so ignorant, as not to know that the Exportation of it must be our Ruin; or that any private Considerations should be able to induce any one that has Reason and Humanity about him knowingly to consent to the Ruin of his Country. If this Pamphlet should fall into the Hands of any such, I would desire them, if they pretend that they do not mean to beggar us *, and to give us up a Prey to our Enemies, to answer what I have said in a rational Way; (I defy them to do it) for, calling Mr. Webber a Madman, and his Scheme a wild and impractical Chimæra, will not stop the Progress of our growing Poverty and Weakness, nor prevent the Consequences of our Inability to defend ourselves against foreign Power. Will Party Prejudice fill the Hungry, or clothe the Naked? Will it maintain Fleets and Armies? Can we without Force defend ourselves against Force? Or does Strength consist in Weakness? There is no Medium, therefore. If they are not for stopping of Wool, they must intend (if they have any Thought at all about the Consequence of exporting it) to give up the King and the Nation to France, since that is plainly the necessary Consequence. I would ask them, then, upon what Inducement they would

* * It can be proved that a certain Person made no Scruple many Years ago, to declare a French Government to be the best, that the Nation ought to be kept poor, in order to be kept humble; and that he would act agreeable to his Opinion; and his subsequent Conduct hath but too strongly proved the Sincerity of his Declaration.’

give

give us up? Or, how it can be their personal Interest to do it? A few People, perhaps, might get by such a Change of the Government, but it is impossible that the Generality of those who seem to be disinclined to the stopping of Wool should find their Account in it, or expect to live so happily under a *French Viceroy*, and *French Laws*, as they may do under our own Government, administer'd by a Protestant Prince, in such Plenty as we might abound in if we would but take proper Measures for the Recovery of our Trade*.

As to those who are sincere Friends to their Country, and are convinced of the absolute Necessity of putting a Stop to the Exportation of our Wool to Foreigners, and yet are as indolent, unactive, and unconcerned about it, as if it were a Matter of little Weight, or that may as well be done at any other Time as now, I know not how to reconcile their Conduct to *Common Sense*, or how to apply myself to such inconsistent People. If, by their Folly, they were to ruin only themselves, they would hardly deserve the Compassion of a wise Man: but it is extremely hard and provoking, that those who are awake and willing to exert themselves for their Preservation, should, in spite of all that they can do, be yet undone, because they cannot rouse others out of their Lethargy. If they do not fully understand the Nature of the Scheme, why do they not take more Pains to be better informed, or have the Modesty to give a little Credit to those

* It is a very great Misfortune that *Trade* is so little understood, and so greatly despised by many *Gentlemen* of Estates, because they cannot be dispos'd to make proper Laws for the Encouragement of what they neither value nor understand. But such Persons would do well to consider that *Trade* is so much the Support of their Estates, that they would be worth nothing without it. It highly concerns our honourable *Representatives*, in point of Interest, to acquire just Notions of it; and may God dispose those *Noblemen* who have Acces to the *Throne* to instil them into his *Majesty*. His Readiness to encourage Trade appeared from his Grant to Mr. *Webber*, &c. but if it were possible to suppose that he could imbibe the wicked and weak Position advanced by one of his Subjects, both his *Majesty* and the whole Nation must be sacrificed by it.'

who

‘ who are better acquainted with it: If, upon a thorough Examination, they *dislike* any Part of it, why do they not immediately consult together about proper Amendments? But, what reason have they to question the *Expediency* of a Charter which his Majesty granted, by and with the Advice of his *Privy Council*, upon the most mature Consideration? At least, why do they not petition his *publick Council*, the *Parliament*, to take the Matter into *their* Consideration; especially as it is well known that several of the most able Men in the House have declared their good Opinion of it, and their Persuasion that we *must* be undone unless Wool be stopped? Why, I say, did they not humbly, but importunately desire their Representatives to pass a Law for the Execution of it, or think of a better Scheme? And why do they not address his Majesty to call them together for that Purpose? Can the Parliament possibly meet upon a Business of more Moment to his Majesty and the Kingdom? Are 28 Millions, lost by us every Year, and above twice as much gained by our Enemies, such a *Trifle*, that we can safely let Session after Session slip without putting a Stop to this fatal Evil? Did our Fore-fathers place *Wool-packs* in the *House of Lords*, to remind them of the *great Importance* of our Wool? And is it now fallen below our Notice? In the Name of every thing that is *sensible* and *prudent*, what can the People of this Kingdom mean? Is it Matter of *Indifferency* to the *Nobility* and *Gentry*, whether the Value of their Estates rises or falls? Whether their Rents be paid or not paid? Whether the Weight of the *Taxes* and *Poor's Rates* be light or heavy? Whether the Streets and Roads be pestered with Beggars, Thieves, and Robbers; or whether we travel and live safe and unmolested? Whether Industry and Virtue, or Idleness and Vice prevail? Is it Matter of *Indifferency* to the *Merchants* and *Traders* of all Sorts, whether they have a good or a bad Trade? Whether there be little or much Money circulating? Is it Matter of *Indifferency* to the *Bishops* and *Clergy*, whether they be obliged to part with their *Preferments*, or give up their *Religion*? Whether the *Protestant Religion* be preserved, or destroyed over all Europe? Am I warm?

I am. The Cause deserves it. Our *all* is at Stake; and, if lost, can never be retrieved. If I have exaggerated, let any one shew it, and I dare promise to throw away my Pen and engage never to get another to disturb the Publick with.'

In November, a Pamphlet was published, intitled, *A Letter to a Member of Parliament concerning the present State of our Affairs at home and abroad. Printed for T. COOPER.* The Author begins thus: 'Sir, It is very possible you may be under some Surprize, at receiving from me a Letter on the State of the Nation, who very lately, as well as on all other Occasions, refused to concur with many of your Constituents in framing Instructions for the Direction of your Conduct in the next Session of Parliament. There is you know a wide Difference between instructing and informing, between enjoining you to follow other Mens Opinions, under the highest Penalty, that of forfeiting the Esteem of your Country, and modestly laying before you the Sentiments of a private Freeholder, with which you are desired to concur, no farther than as what seems reasonable to him, appears also in the same Light to you. This is true *English* Liberty, Liberty of persuading by Argument, not by Force.'

'Though the Distinction I have made is certainly sufficient to justify me, in your Opinion, on the Subject of this Address; yet desirous, as I do, to deal freely and candidly with you in all things, I will join to this Apology for now writing, my Reasons for not then instructing; to the End you may be convinced that I act in all things from Principle, not from any particular Humour, or Party-View, much less through any Venal Influence, an Imputation some Men, with what Justice God only knows, would bring upon the whole Nation.'

He then shews, that our Members of Parliament are not Deputies nor Attorneys or Agents, but Representatives, who, though they are chosen by the People, have not the Powers they are invested with from their Constituents but from the Constitution; and that therefore the People have no Right to send them Instructions, neither are they bound to shew any Regard to the People's Instructions, but unluckily, in the Course of his

Argument

Abstract of
a Pamphlet
intitled, *A
Letter to a
Member, &c.*

Argument he drops this Expression : ‘ The Reason of calling a Parliament is, because the King desires the Advice of his Lords, and the Concurrence of his People; so it is in the Writs, so it is in Fact, and so it always was.’ This, I say, is an unlucky Expression; for how can the King have the Concurrence of the People in Parliament, if Parliament Men shew no regard to the Sentiments or Instructions of the People? If the Representatives should concur with the King in a Measure, which their Constituents have publickly and expressly shewn their Dislike to, could it be said that the King had the Concurrence of his People in that measure?

The Author, after having endeavoured to shew, that the People have no Right to instruct, then attacks their Instructions, and particularly the *Place Bill*. ‘ If this Bill, says he, ever passes into a Law, though the Presence is to bridle the Regal Power, yet its first Operation must be upon the Subject; for the enacting Clause will disable not the King from giving Places, but the People from chusing such as he has given Places to. If the Crown had any Power of obstructing Place-Men on the legal Electors, it would be but just to take away this Power, but since the People are already at Liberty, either to elect or let it alone, it is certainly a little strange, that they should be made to demand an Abridgment of this Power, since this implies a gross Absurdity, *viz.* that Liberty may be increased, by being diminished. We know, with all the Certainty that an historical Truth can be known, that the *Danish* Nobility were compelled by the People to give up all their Privileges to the Crown, we ought therefore to be cautious of Practices of this Nature, because we ought to conceive the Liberties of the *British* Nation inviolable even by themselves. ‘ It would have had an odd Appearance, Sir, had you been told in your Instructions, that your Constituents were conscious of having too much Freedom, and therefore in pure Humility of Heart, and prudent Principles of political Self-denial, intreated you to give your Vote for the Abridgment of their Liberty, in a certain Instance, where they were conscious they could not make a right Use of it. This, I say, would have looked somewhat strangely, and yet read your Instructions

structions over again, you will find this to be the Sense
of them, in what Words soever it may be expressed.
Thus it seems a free People may be brought to cast
away their Freedom, under Pretence of enlarging or
securing it. Alas! alas! what Security can we have,
when we ourselves are afraid of being free?

But there is a Spirit of Corruption abroad, and this
makes such a Measure necessary. Strange, that a Spi-
rit of Corruption should do more than the Spirit of
God, and change the very Essence of Things, make
Restraint Freedom, and Freedom Restraint! Bills of
Attainder have been always looked upon with some
Degree of Horror; and yet, such at present is the In-
fatuation of the People, that they call for an Act to
attaint themselves; for no Law of this Nature can
pass, without declaring the whole Nation to be cor-
rupted, which is another Absurdity; for no corrupt
Nation would ever declare itself so. But we must go
all Lengths to serve the Purposes of a Party, we must
tie our own Hands, to have them more at Liberty, and
in order to become free, we must declare ourselves un-
worthy of Freedom. Oh! that these were Flights of
Fancy, mere Figures of Rhetorick, and not a modest
Representation of our Country's Nakedness!

To make this Proceeding still the more absurd,
there is no Evidence offered to support this Bill. The
Nation pleads guilty to the blackest of all Charges,
that of being universally venal, and no wonder when
the People are brought to prefer this Charge against
themselves. But as this is no Law hitherto, I may
enquire who brings this Charge, and on this Enquiry
I find that it is a Set of Men, who on all legal Divi-
sions have been found the Minority. Upon what
Testimony then do they proceed? Do they know this
to be a Fact from any thing that falls under their im-
mediate Notice? Far from it, they assert themselves
free from Corruption, in the same Breath they con-
demn the Nation of it. Do the Majority own it?
No; they deny it in the most solemn Manner: On a
strict Inquisition therefore, it is as clear as such a thing
can be, that the very Ground of this Complaint is false,
and that this Law, if ever it becomes one, will carry a
Lye in its Preamble, as well as a judicial Sentence of
Ignominy on the British People. Thus

Thus, he says, the *Place Bill* does not appear to be deeply founded in Reason, so nothing can be clearer than that it is directly contrary to Experience, because our Forefathers sought to preserve the People's Liberties by providing, that the King's Placemen should be such as had Seats in Parliament: That in *Henry the Third's* time, *Edward the Second's*, and *Richard the Second's*, the Dispute was not, whether Placemen should be Members of Parliament, but whether Placemen should be named by the King or by the Parliament. Then he endeavours to shew, that the Bill, instead of being a Barrier to our Liberties, may probably overturn them; and that this may be the View of it's Advocates whatever they pretend; because it will establish an irreconcileable Difference between those employed in the Executive, and those employed in the Legislative Part of our Government, the Consequence of which will be, as heretofore, that the latter will be entirely laid aside. Such Whims for amending our Constitution, he says, are generally designed for no other Purpose, but that of turning Patriots into Ministers. ' But for Heaven's Sake,
Sir, says he, let us have no more of these Experiments! If once in twenty Years the discontented undermine, or blow up, a Part of our Constitution, in order to dislodge the then Ministry, we shall in time, aye, and in a short Time too, have no Constitution at all. Such Practices may indeed shew the Skill of these State-Engineers, who, by using their Arts among our Enemies, might do us excellent Service; but to treat the Government at home every Session of Parliament, as Boys do Cocks on *Shrove Tuesday*, for their own Emolument and the Diversion of the Mob, is what will never go down with the soberer Part of Mankind, such as we ought to hope will always make the Majority of the Nation.
Add to this the dreadful Prospect we must have, if such Persons should ever carry their Point, and force themselves into Power. In such a Case, the Crown must necessarily distrust them; and the Voice of the People, being a Support never long to be relied on, these Statesmen must have Recourse to listing a Party sufficient to maintain them in spite of Distrust on one side, and of a just Ayersion, when the People re-

cover their Wits, and discover what Tools they have been made, on the other. Such was the Case of the motley Ministries King *William* was compelled to make use of; such was the Case of the Tory Ministry, in the last four Years of the Queen; and such was the Case of another Ministry I could name, if it was proper. Our present Patriots are certainly great Men; but great as they are, they cannot alter the Nature of Things; they can interpose Nothing between Causes and Events; what has been, will be, in spite of their Arts; and therefore, I lay it down, as a Thing certain, that if ever they do get into Power, this will be the Consequence.

From thence he enters into a Justification of our late Conduct; but as there is nothing remarkable in this part of the Pamphlet, I think it unnecessary to give any more Extracts from it.

About the same time was published a Pamphlet, intitled, *French Influence upon English Counsels demonstrated from an impartial Examination of our Measures for 20 Years past, from whence is shewn the Necessity of excluding, effectually, most Placemen, and all Pensioners, from having Seats in the House of Commons.* The Author begins thus:

Abstract of
a Pamphlet,
intitled,
*French In-
fluence upon
English
Counsels, &c.*

As I have often employed my Pen in explaining the true Interest, and asserting the just Rights of my Country, against Ministerial Writers and Ministerial Measures; and as I shall always think it both my Honour and Duty to do so, as often as I have the Misfortune to think it necessary, I could not look with Indifference upon a vile Attempt lately made in the *Gazetteer*, to justify the French joining with Spain against us in the present War. The Gazetteer I mean is that of September the 29th, in which is inserted, what is there called the Extract of a Letter from *Paris*, though I am convinced that it was, like most of the other political foreign Letters published in our News-Papers, forged upon the Ministerial Anvil set up in this Kingdom, or upon some such Anvil lately set up abroad; and that it was published here, with a Design to convince the People of this Kingdom, that we can attempt to make no Conquests upon Spain in the *West Indies*, without giving France a Right to declare against us.

Then after giving a Copy of the Letter, he states and answers the Reasons given therein for justifying the French; and shews that their Design, in sending their Squadrons to the *West Indies*, was not, as they pretended, to preserve a Balance of Power in the new World, but to overturn the Balance of Power in the old: That they had always been defeated in this Design by the Riches and Power of this Nation, and that therefore, immediately after the Peace of *Utrecht*, they had resolved, ‘ To take all the Methods they could think of for encouraging and promoting the Manufactures and Trade of their own Country, and for distressing and diminishing the Trade and Manufactures of this. To describe all the Arts they have made use of for this Purpose, and how those Arts might have been disappointed by us, would far exceed the Bounds I have prescribed to myself in this Treatise, and therefore I shall confine myself to one only, in which they have had most extraordinary Success. I mean that of keeping us in a sort of continual Strife with some one Neighbour or another; and as the Influence they had upon the Councils of Spain was of great Advantage to them in this Particular, they have made all the Use of it they could, and much more than they could have done, had we taken the proper Measures to prevent it; which were not, nor ever can be by Tameness and Treating, but by making the Spaniards severely feel the Weight of our Arms, if they should ever offer the least Injury to us or any of our Allies.’

He then goes on to shew, how we were governed by French Counsels and Addreſſs in our Treaty with Spain in the Year 1721: In the Treaty of *Hanover* in 1725, and all our Measures in Consequence of that Treaty: In neglecting to assist the Emperor in 1733: And in the Methods we had taken for prosecuting the War against Spain; by which they had prevented our prosecuting it in such a Manner as to force Spain to a Peace; and therefore he supposes, that the Design of France, in sending her Squadrons to the *West Indies*, was not to attack us, but to furnish her Agents here with Arguments for frightening us into her view of protracting the War between Spain and us, without her being obliged to engage openly against us.

From

From these Observations he argues and concludes thus:

' If any of our late Measures have been directed by French Counsels; if we have been advised by any Person under the Influence of French Artifice, or under a Dependance upon French Power, we now smart for it, Europe smarts for it; but, I hope, it will be a Warning to us, to take the proper Method for preventing the like in future Times, which can only be done by taking Care, that no future Parliament shall be under any Sort of corrupt Dependance upon the Crown, or any of the Favourites of the Crown. We have had a King entirely governed by a Spanish Minister; and another very much governed by a French Mistress. By the former we lost the great Sir Walter Rawleigh; and the Palatinate was lost to its natural Prince, and to the Protestant Religion: By the latter we had a ruinous War with the Dutch, and very much contributed to that French Grandeur, which afterwards cost us so much Blood and Treasure to reduce. We may hereafter have a King entirely governed by one sole Minister, and that sole Minister a Pensioner, a Tool, or a Dupe of France. If it should be in the Power of that sole Minister, by Means of the Places and Pensions he has to bestow, to have both Houses of Parliament always under a corrupt Dependance upon him, the Interest of this Nation would be daily sacrificed to the Interest of France. Of this the whole Nation, except those who depend upon the Minister, might be long sensible, and yet during the Joint-Lives of that King and that Minister, there could be no legal Redress: Whereas an independent Parliament would immediately, and in a legal Way, rid the King of such a treacherous Minister, and the People of such a weak and mercenary Administration.

' I know, one of the mercenary Writers against the Place-Bill has wisely said, That our Members of Parliament ought to be under a Dependance upon Ministers for the Places they possess or expect, in order to prevent their falling under a corrupt Dependance upon France*. To suppose that France could ever

* An Impartial Enquiry, &c. printed for Roberts 1739.

get any considerable corrupt Influence over our Parliaments, any other Way than by first corrupting our Ministers, is an Imagination that can never proceed from any Thing but a wrong Head or a false Heart. It is an Attempt the Court of *France* knows to be impracticable and impossible; for as this Influence can be got by nothing but ready Money; and, as a sufficient Sum, in Proportion to the Value each Man puts upon his Honour, must be given not only to every Member of Parliament, but to every individual Elector, so far at least as to form a Majority of each, it would be impossible even for the Crown of *France* to spare such a Sum as would be sufficient for this Purpose. But if any one of our Ministers should get the sole and entire Guidance of our King, and thereby the Disposal of all the publick Money, and of all the Pensions, Posts, and Offices, which the Crown has in it's Power to bestow, the yearly Revenue and Profits of which, in the whole, I could shew to be above six Millions Sterling, such a Minister by Means of these Pensions, Posts, and Offices, might get a corrupt Influence not only over a Majority in each House of Parliament, but over a Majority at most of the Elections in the Kingdom; and if this should ever come to be our Case, the Court of *France* might, and certainly would endeavour to gain that Minister, either by a large Sum of Money, or by promising him their Protection, in Case he should by any Turn of Fortune be in Danger of meeting with that Fate, which, thank God, most sole and prime Ministers have hitherto met with in this Kingdom. And if the Crown of *France* should by either of these Means gain a corrupt Influence over that Minister, the Pensions, Posts, and Offices he had in his Power to bestow, would be brought in Aid of the French Influence upon him, and then our King, our Administration, and our Parliament might be properly said to be under a corrupt Dependance upon the Crown of *France*. This is a Danger we ought to guard against, and it can be guarded against no other Way but by preserving the Freedom and Independence of our Parliaments.

To

To pretend that our Parliaments were under a corrupt Influence from *France* during all King William's Reign, is a most ridiculous Chimera. The Reverend Prelate, whom this Author quotes as his Authority, was certainly mistaken, when he supposed the Parliament mentioned by him * to be bribed by *France*. If we consider the Circumstances and Transactions of Europe from the Conclusion of the Treaty of *Ryswick*, to the Time this Session of Parliament began, we must allow, that both the Partition Treaties were Snares laid for King *William* by the Artifice of *France*. These Snares he unluckily fell into, not by the Advice of his Parliament, nor even by the Advice of his Privy Council, but by the Advice of a few Favourites, or rather of one favourite Minister; and therefore, if any extraordinary Sums came at that Time over from *France*, we may most reasonably suppose, they were the Price paid by *France* to our Ministers or Minister, for the wrong Advice they gave to their Sovereign; and that those Ministers, or this Minister, was cunning enough not to bring it over at the very Time it was paid, lest it should have occasioned a Suspicion against him. But suppose, that these extraordinary Remittances were actually made with a Design to attempt bribing that Parliament, the Behaviour of that very Parliament is a Proof upon Record, that the *French* failed in their Attempt; and their Failure at that Time has convinced them of the Ridiculousness of the Attempt: for, I think, no Historian has since dreamed of their having made a second upon our Parliaments, whatever they may have done with Regard to our Ministers.

We have indeed, great Reason to dread any extraordinary Remittances from *France*: They are generally ominous to this Nation; and I must observe, that in the Year 1733, there were such great Remittances from *France*, that most of the *French* Merchants upon *Change*, took Notice of it; but what occasioned them must be left to Time to discover: I shall only take Notice, that towards the End of that Year, the War broke out between *France* and the *Emperor*.

* Burnet's History, Vol. II. p. 257.

‘ But whatever may be in the Arguments for or against excluding effectually most Placemen, and all Pensioners, from having Seats in the *House of Commons*, it is now become necessary to pass some such Bills, in order to restore that Influence and Weight which this Nation ought to have upon the Counsels of *Europe*. It is certain that this Nation never had much Influence Abroad, but when it was governed by a popular Administration; and therefore, in order to reconcile the Minds of the People to our Administration, it is become absolutely necessary to pass not only the *Place and Pension Bills*, but several other Bills that are proper for securing our Constitution. There is not now a Man in the Nation, not possessed of a Pension or Place under the Crown, but is persuaded, that the Freedom and Independency of Parliament, and consequently the Liberties and Constitution of this Kingdom, are in the most imminent Danger. The *Place and Pension Bills* are looked on by all as the most obvious Expedients for avoiding this Danger; and it is necessary to give the People Satisfaction in this Point, if we have a Mind to preserve the Independency of this Nation, or the Liberties of *Europe*. The present Conjunction is the most extraordinary, the most critical, and the most dangerous, this Nation ever saw, therefore it is absolutely necessary to have Men at the Helm who have not only great Authority at Home, but also some Character Abroad. We must make some Steps towards securing our own Liberties, before we can do any Thing for securing, or rather restoring the Liberties of *Europe*.

‘ Those who have disapproved of these Bills. Those who have constantly approved of all our publick Measures, are hitherto excusable, and they may see, by several late Instances, how ready the People are to forgive. In Questions of a very complex Nature, which all political Questions are, the wisest, the most impartial may be mistaken; and when a Gentleman’s private Advantage or Emolument is engaged on one Side of the Question, as every Gentleman’s must be who has or expects a Place or Pension from the Crown, it is natural for him to judge that Side to be right, and to think he judges impartially. He must have a very clear

clear Head, as well as a very honest Heart, who judges one Side of any complexed Question to be right, when there is an Argument of 1000*l.* or 10,000*l.* a Year upon the other Side of the Question. Of this we must now be convinced from Experience. We now feel the Effects, *Europe* feels the Effects of the Influence we have been under, and *France* rejoices and triumphs. Can the Nation now approve of such Measures? Can any one *true Briton* now approve of them? But of all Things it would be most amazing, should such Measures be now approved of and supported by any one of that Family which owes it's Greatness to that glorious *English General*, who but lately recovered the Liberties of *Europe* from the Jaws of *France*, and made her *Grand Monarque* tremble upon his Throne. The Glory of that Family, or even it's Existence, is absolutely inconsistent with the Glory of *France*, and therefore it's utter Extinction must be the certain Consequence of the Consummation of French Power.

Every Man must now be sensible, that we ought to have held a Conduct very different from that we have held for these 20 Years past. Every impartial Man must be sensible, that none of the Treaties or Measures, I have mentioned, could have met with the Approbation of a *British Parliament* absolutely free from Prejudice as well as Dependance. Yet they were all approved of and applauded. I am far from saying, that any of those that did so, then judged them to be wrong: No, they imagined at the respective Times they gave their Approbation, every one of those Treaties and Measures to be in itself wise and right: But Experience must now convince them of the contrary; and from hence they must grant, that, as they held or expected Places or Pensions under the Crown, they were prejudiced in Favour of every Thing that was done by the Ministers of the Crown. Therefore, I hope, they will now join in taking Care, that neither themselves, nor any of their Successors in Parliament, shall ever hereafter be under the like Prejudice.'

To this Pamphlet is added a Postscript containing Remarks upon the French King's Declaration on sending his Squadrons to the West-Indies.

Abstract of
a Pamphlet
intituled, A
Serious Exhortation,
&c.

The only other Pamphlet I shall give any Abstract of, was published just before the Parliament met in November, and was intituled, *A serious Exhortation to the Electors of GREAT BRITAIN, wherein the Importance of the approaching Elections is particularly proved from our present Situation both at Home and Abroad.* In this Pamphlet the Author observes, that, ‘ The Court ever grasping at new Power, either through the mistaken Ambition of former Kings, or the interested Persuasion of Favourites and Ministers, has often tried the utmost of Force and Violence to reduce, under the Subjection of it’s own Will, the Lives and Fortunes of the People of England; but as often as these Attempts have been made or renewed, so often have they been defeated by the Spirit and Perseverance of our Ancestors; and frequently proved fatal, not only to those Ministers who advised them, but even to such Kings themselves as have been thus unhappily deluded and persuaded. From hence, as Experience has long since convinced every one of the Impossibility of establishing arbitrary Power in it’s first Instances by Force, in this Country, so has it suggested not only to crafty Politicians, but pointed out to every intelligent Man, the sole Method of introducing Slavery here, that is, by secret Influence and Corruption.

‘ It has been therefore a most obvious Remark in the Mouth of every Writer who has treated of the English Affairs and Constitution, That this Nation can only be enslaved by it’s own Means, by the Perfidy of those intrusted with it’s Liberties, by it’s Parliament.’

And a little farther he goes on thus: ‘ Since therefore it appears, that we can never become less free but by ignominiously betraying our own Liberty, let us a little reflect by what Means that may be brought about: As then it will be evident, that this can only be accomplished by two Methods, either by an indiscreet or corrupt Choice of our Representatives, in whose Hands we trust our Liberty, or by the corrupt and treacherous Conduct of such Representatives when chosen

chosen into Parliament ; it necessarily follows, that it is of the highest Importance to this Nation in the first Place, to prevent as much as possible, all Means of undue Influence and Corruption ; and in the next Place, to intrust such as Representatives only, whose Characters, whose Integrity, and whose Fortunes will exempt them from all Danger of either.

To secure the House of Commons from all indirect Influence of the Crown, has been thought so necessary to the Preservation of this Constitution, that the Attention of the Legislature has been often employed for the Prevention of so dangerous an Evil ; and a Clause was inserted in the Act of Settlement to incapacitate such Men, as held Places under the Crown, from sitting in the House of Commons. That Clause has been since altered, and now extends only to a Re-election. Whatever might have made the Qualifying of that Clause in some Degree necessary, of this I am most certain, that the Admission of Placemen on the Foot it now stands, will be attended with certain Destruction to the Constitution, as must appear obvious to the Reflection of every Man, who with Impartiality considers it's Consequences.

There are at present in the House of Commons alone about 234 Persons, who are publickly known to receive in Employments from the Crown * 212956 l. per Annum. How far that is consistent with the Independency of that House, I will leave to your own Judgment to determine. If I am told, the Honour and Integrity of those Gentlemen preserve them from all Danger of undue Influence, as I am not at Liberty to contradict it here, I shall refer you to be determined in that Point by their Conduct. You will judge, whether their unanimous Support of the present Minister, in every Measure for these twenty Years, is a Proof of their Independency ; you will judge, whether a constant Approbation of Standing Armies, Votes of Credit, Excises and Conventions, ought to persuade you of their Integrity. You will likewise examine, whether the most implicit Compliance with the Will of the Minister is not made the only Tenure by which these Emoluments are secured to them. Of

* Vide List of the Convention.

* this

' this you will form your Opinions with better Ground,
 ' when you enquire into the Causes of the late Dis-
 ' missions of several Personages of the most known A-
 ' bilities and Attachment to the present Establishment,
 ' from Offices as well Military as Civil *.'

Then he mentions the many Remonstrances that had been made by the People against the exorbitant Number of Placemen in the House of Commons, and the little Success those Remonstrances had met with. To make such Remonstrances was a Right, he says, which the People had ever enjoyed, and that the late Alteration in our Constitution of Parliaments, by prolonging them for seven Years, had made the Exercise of such a Right more particularly expedient. ' But, says he, if these
 ' your just and necessary Efforts cannot prevail next
 ' Sessions for obtaining a Place-bill, you will shortly as
 ' Electors of Great-Britain have it in your Power to
 ' make the most effectual Law against filling the House
 ' of Commons with Placemen, by making Independence in your Candidates the Rule of your Choice.'

He then calls the Attention of his Countrymen to a Consideration of the State they are in, and says: ' It is
 ' become the common Cant Argument of the ministerial Advocates, when they would extol the Happiness
 ' of the present Times, and the Security of Liberty
 ' under this Administration, to assert that no Act of
 ' Power, no violent Exercise of Prerogative is now
 ' ever exerted; and on this Assertion they greatly tri-
 ' umph over all our just Complaints against the present
 ' State of Things; yet, weak as these Arguments are,
 ' they are such by which many mistaken Men are will-
 ' ingly imposed on, and gladly deceive themselves. But
 ' as Power, however arrived at, is the same when once
 ' obtained, the large Increase of Weight in the Crown,

* ' We have an affecting, though ridiculous Instance,
 ' how weak a Tenure Integrity has been generally thought
 ' for a Placeman, in a Story told by the famous Mr. Sydney,
 ' which I can't help repeating here, " Of a noble Person
 ' in his Time, who being a great Enemy to Bribery was
 ' turned out of a considerable Post as a Scandal to the
 ' Court; For, said the principal Minister, He will make
 ' no Profit of his Place, and by that Means casts a Scandal on
 ' those that do."

* and

and the Influence it has found Means to acquire both over the People and in Parliament, by the Means of the Parliament itself, has made those once hazardous Instances of the violent Exertion of Power wholly unnecessary.'

After which he puts them in Mind of the numerous standing Armies kept up: Of the large Sums that had been granted: Of the many Negatives that had been put upon Motions tending to an Inquiry: Of the many new Offices erected, the many penal Laws enacted, the vast Increase of the civil List, the great Extension of the Power of Justices of Peace, and the violent Exertion of Power against the Freedom of the Press. From hence he says, the People are to judge of the Behaviour of those Gentlemen they had intrusted with their Liberties: ' But, says he, though the Necessity some Gentlemen must be soon under of having a Recourse to your Favour, may force a Compliance with the National Desires next Sessions, from such as were before deaf to your Admonitions and Intreaties; and should this happen with the Leave of their Patron, in perfect Confidence of defeating your Hopes in another Assembly, you will surely not allow yourselves to be imposed on by so low an Artifice, nor suffer their former Infamy to be blotted out by a Couzenage so affronting to your Discernment. Be assured, that whenever a House of Commons shall really be in Earnest for a Place-bill, which only affects themselves, or for any other Measure so unexceptionable, so conducive to the publick Safety, they will meet with no Obstruction in their good Purposes from another House, as the only Influence that can occasion it must soon cease and determine, whensoever a House of Commons shall be uncorrupted.'

A little further he says, ' Consider you are now entered into a War, which as it was begun only at the irresistible Voice of the whole People, so must the Success of it be greatly at the Heart of every Englishman, to whom the Honour of this Country has been ever dear. But will that Honour be consulted by those, will this War be carried on with Spirit by those, whose Pusillanimity brought on you that long Series of Outrages which occasioned it, and who ra-

ther

ther than grant you the Justice you demanded, would have prostituted the Rights and Honour of the Nation by an infamous Convention? Has their Conduct since discovered any Thing but a Series of Negligence, Absurdities and Ignorance? Was one proper Step taken previous to this War, though so long called for, though so long foreseen by every Man in the Nation? Has there been one Deed of Importance atchieved yet, besides what has been performed by that gallant Officer and worthy Patriot Admiral *Vernon*? Which must wholly be ascribed to his personal Merit and Zeal for his Country, and so little intended by those in the Direction of our Counsels, that it proves the most glaring Mark of their former Infamy. Are we from such Men to expect Satisfaction for our violated Honour, Reparation for our Damages and Expences, and Security for our Commerce? Or rather, have we not much more Reason to dread someaultry Treaty, a disadvantageous Suspension of Arms, or a new Convention, as the Fruit of all our expensive Armentments?

To which he adds, ' We have hitherto only had one of the least formidable Nations in *Europe* singly to cope with; a Circumstance uncommonly favourable on our Side, and, if improved with either Skill or Spirit, must have been productive of the most fortunate and advantageous Events to this Nation. The brave Admiral just mentioned has proved this to the Conviction of every Man in the Kingdom, notwithstanding the late Attempts of the Ministerial Scribblers to lessen the Merit of his Actions, and ridicule the universal Acclamations of the People in his Praise. But should the Situation of *Europe* become such, as to engage us in a Struggle with *France*, who after a most ruinous War flourishes by it's Commerce and Manufactures, and the Discharge of her Debts; while we, after the most successful and glorious one, have every Day more and more languished in the Decay of one, and under the Burthen of the other: I say, if it becomes our Fate to be thus engaged, what a Prospect shall we then have, if our Counsels are thus directed? If Alliances become necessary, how shall they be formed by those, who have lost the Confidence of our Allies, by having negotiated themselves into a

' Maze

Maze of contradictory Treaties with every State in Europe? What Weight with it's Neighbours can the Instances of any Nation be supposed to have, if under the Auspices of a Minister known to have begared it at Home, and cowardly exposed it's Reputation Abroad? A Minister, known by them to be detested universally by the Nation over whose Affairs he presides; for the most Part supported and protected from their Justice only by a mercenary Faction; like Catiline's Crew, Accomplices with him in his Iniquity, or connected with him by Corruption. A Minister, who has robbed the Publick of the Counsels of the most universally-esteemed, and undeniably the ablest Men amongst us; and who, when forced into a War, has deprived it of the Service of those of most known Abilities and Experience, and some of them such, to whose Fidelity, to whose Zeal and Resolution, this royal Family once owed it's greatest Support.

He concludes with giving his Advice to his Countrymen in these Words: 'Chuse therefore from amongst your Neighbours, Men of approved Abilities and Integrity; or if you throw your Eyes on any who have not had an Opportunity of giving a publick Testimony of their Behaviour, let them be such as the Independency of their Fortunes shall set above the Baits of Corruption, such as are not likely by Extravagance or Vanity to sue meanly for the Emoluments or gaudy Trappings of a Court; let them be such amongst your Neighbours, whose Hospitality, whose Charity, and whose Virtues in private Life, promise Disinterestedness and Integrity in their publick one.'

'Chuse such Gentlemen to represent you, whose Interest is blended with yours, who feel the Burthen of Taxes, the Decay of Trade, equally with yourselves; not Men who flourish by your Poverty, who share in the Spoils of their Country, whose Luxury is pampered by what is drained from you; who receive their Salaries, their Pensions, the Wages of their Corruption, from your Misery. These are Men who mock at publick Calamities, who avowedly ridicule all Regard for your Interest, who endeavour to laugh publick Spirit out of the World, as the immature Notion

' Notion only of Novices and Striplings: Men so abandoned, as openly to declare their Disapprobation of those Measures they have prostituted given their Votes next Day in Favour of.'

And with advising them to insist on the parliamentary Attendance of those they might think proper to chuse.

I shall now conclude my *Annals* for this Year, with the same Sort of general Lists, &c. with which I concluded my *Annals* for last Year, beginning with

The MARRIAGES of eminent Persons solemnized in the Year 1740.

*J*anuary, Sir William Fownes, Bart. to the Lady —— Ponsonby, Daughter to the Earl of Desborough.

— The Earl of Antrim to Miss Plunket, Grand-Daughter to Col. Stratford.

— The Lord Visc. Donnery to the Hon. Miss Scheffington, Sister to the Lord Visc. Massareen.

*F*ebruary. Thomas Corbet, Esq; Member of Parliament for Saltash, to Mrs. Lloyd.

— Richard Rydell, Esq; Member of Parliament for Boston, to Miss Hall.

— Sir John Rush of Streatly in Berkshire, to Miss Leonora Sutton, Daughter of the late Major General Sutton.

*M*arch. John Morley Trevor, Member of Parliament for Lewes in Sussex, to

Miss Elizabeth Frankland, Daughter of Sir Thomas Frankland, one of the Lords Commissioners of the Admiralty.

*M*ay. The Hon. Mr. Yorke, Son and Heir to the Lord Chancellor, to the Hon. Miss Campbell, only Daughter to the Lord Viscount Glenorchy, and Grand-Daughter and sole Heirels of the Duke of Kent.

— The Lord Visc. Primrose, to Miss Drelincourt.

*J*une. Sir Edmund Thomas, Bart. to Mrs. Northey.

— The Hon. Hensage Legg, Esq; Son to the Earl of Dartmouth, to Miss Katherine Fogg, Niece to Sir John Barnard.

— John Crawley, Esq; Member of Parliament for Marlborough, to Miss Sambroke, Sister to Sir Jeremy Vanacker Sambroke, Bart.

*J*uly.

July. *Josiah Burchett, Esq;* Member of Parliament for Sandwich, and Secretary to the Admiralty, to Mrs. *Wood*.

— *Sir Robert Clifford, Bart.* Knight of the Bath, to Miss *Lombe*, eldest Daughter of the late Sir *Thomas Lombe*, Knt. one of the Aldermen of London.

— His Grace the Duke of Leeds, to the Lady *Mary Godolphin*, Daughter of the Earl of Godolphin.

— The Earl of *Clanrickard* to Miss *Vincent*, Daughter of Sir *Harry Vincent*, Bart.

— The Hon. — *Wallop*, Esq; eldest Son of the Lord Viscount *Lynington*, to Miss *Conduit*.

— *Sir Hugh Smithson, Bart.* to the Lady *Betty Seymour*, Daughter of the Earl of *Hertford*.

August. The Hon. *Pryce Devereux, Esq;* Member of Parliament for *Montgomeryshire*, and only Son of the Lord Vis. *Here-*

ford, to Miss *Elenora Price* of *Rhwlas* in *Merionethshire*.

— *Sir Thomas Hay, Bart.* to the Lady *Byron*.

— *Richard Lloyd, Esq;* Member of Parliament for *Cardigan*, to Mrs. *Bates*.

September. The Lord Viscount *Barrington*, Member of Parliament for *Berwick*, to Mrs. *Grimston*, Relict of the Hon. Mr. *Grimston*, eldest Son to the Lord Vis. *Grimston*, and Daughter of the late *Henry Lovel, Esq.*

November. Sir *John Barker* of *Sproughton* in *Suffolk*, Bart. to Miss *Alice Fytch*, Daughter of Sir *Comport Fytch*, of *Eltham* in *Kent*, Bart.

— *Sir Edward Mansell*, of *Trimsaran* in *Carmarthenshire*, Bart. to Miss *Bayley*.

— *Sir James Stanley*, of *Alderley* in *Cheshire*, Bart. to Miss *Frances Butler*, a near Relation to the late Duke of *Ormonde*.

B I R T H S.

January. The Lady of *Thomas Whitmore, Esq;* Member of Parliament for *Bridgenorth*, delivered of a Son and Heir.

— The Lady of *Robert Trefusis, Esq;* Member of Parliament for *Truro*, delivered of a Son and Heir.

February.

- February. The Lady of the Lord North and Guilford, delivered of a Son.
- The Lady of the Lord Nassau Powlet delivered of a Son.
- March. The Lady of the Lord Harry Beauclerk, delivered of a Son.
- April. The Lady of the Hon. Mr. Arundel, Son and Heir of the Lord Arundel and Wardour, delivered of a Son.
- The Dutches of Marlborough delivered of a Son.
- The Lady of John Norris, Esq; eldest Son of Admiral Norris, delivered of a Son and Heir.
- The Lady of the Marquis of Bawmont, eldest Son of the Duke of Roxburgh, delivered of a Son and Heir.
- The Lady of Sir Brian Broughton, delivered of a Son and Heir.
- June. The Lady of the Lord Vere Beauclerk, delivered of a Son.
- The Countess of Gainsborough, delivered of a Son.
- July. The Lady Viscountess Falconberg, delivered of a Son.
- The Dutches of Manchester, delivered of a Daughter.
- The Lady Gower delivered of a Son.
- August. The Dutches of Hamilton delivered of a Son.
- September. The Lady of Sir William Wolsey, Bart. delivered of a Son and Heir.
- The Countess of Stamford delivered of a Son.
- The Lady of Sir Roger Burgoyn, Bart. delivered of a Son.
- The Lady of Sir Robert Eden, Bart. delivered of a Son and Heir.
- October. The Countess of Dysart delivered of a Son.
- November. The Countess of Orrey delivered of a Daughter.
- The Viscountess Montjoy delivered of a Son.
- December. The Countess of Winchelsea and Nottingham, delivered of a Daughter.

P R E F E R M E N T S.

*J*anuary. The Rev. Joseph Story, D. D. Dean of St. Edan, made Bishop of Killaloe in Ireland.

— Charles Longueville, Esq; Member of Parliament for Eastlow in Cornwall, made Pay-mater

ter to the Garrison of Gibraltar.

February. John Plumtree, jun. Esq; made a Commissioner of the Stamp-Duties.

— Lord Hobart appointed Lord Lieutenant of the County of Norfolk.

— The Lord Cutburt appointed General of the Land Forces designed for the *West-Indies*.

March. The Rev. Mr. Robert Watts, M. A. made Dean of St. Edan in Ireland.

— Henry Harris, Esq; made a Commissioner of the Wine Licence Office.

— John Tinker, Esq; appointed Governor of the *Bahama-Islands*.

April. Thomas Bootle, Esq; appointed Chancellor to the Prince of Wales.

— Thomas Coppleston, Esq; made one of the Commissioners of the Victualling Office.

— Mr. Baron Parker made one of the Judges of the *Common-Pleas*.

— Mr. Baron Reynolds of the *Exchequer* in Ireland, made one of the Barons of the *Exchequer* here.

— Peter Lord King, made Out-Ranger of *Windsor-Forrest*.

— The Lord Hir-

vay made Lord Privy Seal.

— His Royal Highness the Duke, made Colonel of the 2d Regiment of Foot-Guards.

May. The Earl of Hyndford appointed his Majesty's High Commissioner to the General Assembly of the Church of Scotland.

— The Lord Visc. Lonsdale, made Lord Lieutenant of Westmorland and Cumberland.

— Duke of Montague made Master General of the Ordnance, and Colonel of the Queen's Regiment of Horse.

— Duke of Bolton made Captain of the Band of Gentlemen Pensioners.

— The Earl of Hertford made Colonel of his Majesty's own Royal Regiment of Horse Guards, Blue.

— The Lord Cornwallis made Constable of the Tower, and Lord Lieutenant of the Tower Hamlets.

— The Earl of Jersey made Chief Justice in Eyre, on this Side of Trent.

— The Duke of Marlborough made Captain of the 2d Troop of Horse Guards.

— Major General Hawley made Colonel of the Regiment of Dragoons,

N n lately

lately commanded by the Duke of Marlborough.

— General Whetbam made Governor of Berwick upon Tweed.

— Lieutenant General Honeywood made Governor of Portsmouth.

— Lieutenant General Dormer, made Governor of Hull.

— Sir Robert Rich, Bart. made Governor of Chelsea Hospital.

July. The Rev. Charles Maffey, M. A. made Dean of Limerick in Ireland.

— Lord Mark Ker, made General of the Ordnance in Ireland.

— The Earl of Craufurd created a Knight of the most ancient Order of the Thistle.

— The Right Rev. Dr. Charles Este, Bishop of Offory in Ireland, translated to the Bishoprick of Waterford and Lismore in that Kingdom.

— The Rev. Mr. Robert Downes, made Dean of Derry in Ireland.

August. The Rev. Dr. John Thomas made Dean of Peterborough.

— The Rev. Dr. Taylor, presented to the Rectory of Market-Bosworth in Leicestershire, worth upwards of 700 l. per Ann.

— The Earl of

Bute, one of the 16 Peers for Scotland, made one of the Lords Commissioners of the Police there.

— Melchior Guy Dickens, Esq; appointed his Majesty's Minister at the Court of Berlin.

September. Dr. Hoadley, M. D. Son to the Bishop of Winchester, appointed Physician to Chelsea College.

October. George Treby, Esq; made one of the Lords Commissioners of the Treasury.

November. The Rev. Dr. John Gilbert made Bishop of Landaff, in the Room of the Right Rev. Dr. Mawson, translated to the See of Chichester.

— The Lord Onslow made Lord Lieutenant and Custos Rotulorum of the County of Surrey.

— Augustine Earle, Esq; made a Commissioner of Excise.

— Mr. Justice Prynne, made Lord Chief Baron of the Exchequer.

— Mr. Baron Wright, made one of the Judges of the King's Bench.

— Sir Thomas Abney, made one of the Barons of the Exchequer.

December. The Earl of Holderness, made Lord Lieutenant of the North Riding of Yorkshire.

D E A T H S.

D E A T H S.

*J*anuary. The Hon. Thomas Herbert, Brother to the Earl of Pembroke.

— Sir Isaac Shard, Knt.

— Henry Parsons, Esq; Member of Parliament for Malden in Essex.

— The Hon. Mr. Finch, Brother to the Earl of Aylesford, and Member of Parliament for Maidstone.

— The Rev. Dr. David Freebairn, styled Bishop of Edinburgh.

— The Right Rev. Dr. Charles Carr, Bishop of Killaloe in Ireland.

— Knightly Danvers, Esq; Author of the Abridgment of the common Law.

— Sir Brocas Gardiner, Bart.

— Sir Will. Stapleton, Bart. one of the Knights of the Shire for Oxford County.

— William Snelling, Esq; one of the Directors of the Bank.

— Sir Francis Henry Drake, Bart. Member of Parliament for Bordon in Devonshire.

*F*ebruary. The Right Hon. Richard Lumley, Earl of Scarborough.

— The Right Hon. the Earl of Delorain.

— Lieutenant General Evans.

— His Excellency Count de Cambis, Ambassador from the French King.

— At Paris, Henry Perrot, Esq; one of the Knights of the Shire for Oxford County.

— Sir Joseph Eyles, Knt. Alderman of Cheap Ward, and Member of Parliament for the Devizes in Wiltshire.

— Sir Edmund Elwill, Bart.

— William Cowper, Esq; Chief Clerk to the House of Lords.

— Mr. Jacob Vandlerint, a Deal Merchant, Author of a Book on Trade, intituled, *Money answers all Things*.

— Sir David Williams, of Guernsey in Breconshire, Bart.

— Sir William Juxon, Bart.

March. The Right Hon. Alex. Hume, Earl of Marchmont.

— Sir Thos. Langley, Bart.

— The Right Hon. John Lord King.

N n 2 — Mr.

— Mr. Justice Denton, one of the Judges of the Common-Pleas, and Chancellor to the Prince of Wales.

April. The Rev. Dr. Felton, Principal of Edmund-Hall, Oxford, and Author of the Dissertation on the Clafficks.

— Sir William Culpeper, Bart.

— Sir Charles Herbert, Bart.

— Sir John Jacob, Bart.

— The Right Hon. the Earl of Kincardine.

— Mr. Claude Fournereau, an eminent Hamburgh Merchant.

— Thomas Wylds, Esq; one of the Commissioners of Excise.

— The Right Hon. the Countess of Warrington.

— The Right Rev. Dr. Robert Howard, Bishop of Elphin in Ireland.

— Sir Francis Child, Bart. Alderman of the Ward of Farringdon without, and one of the Knights of the Shire for Middlesex.

— The Right Rev. Dr. Francis Hare, Bishop of Chichester, and Author of several valuable Books.

— The Right Hon. the Countess Dowager of Dysart.

May. At Brussels, the Right Hon. the Marquis

of Devenish, a Native of Ireland, and Governor of Courtray in Flanders.

— Mr. Ephraim Chambers, Author of the famous Dictionary, intituled, Cyclopaedia.

— Mr. Penkethman, the celebrated Comedian.

— The Right Hon. the Lord Dudley and Ward.

— The Right Rev. Dr. Mills, Bishop of Waterford and Lismore in Ireland.

— Baltzar Lyell, Esq; one of the Directors of the East-India Company.

June. The Right Hon. the Countess of Aylesford.

— The Right Hon. the Earl of Glasgow.

— His Grace Henry de Grey Duke of Kent.

— The Right Hon. Thomas Onslow, Lord Onslow.

— The Right Hon. the Lord Visc. Wallingford, Member of Parliament for Banbury.

— John Lawton, Esq; Member of Parliament for Newcastle under Line.

— Corbet Kynaston, Esq; one of the Knights of the Shire for Shropshire.

— Sir William Wyndham, Bart. one of the Knights of the Shire for Somerset.

June

June. George Liddell, Esq; Member of Parliament for Berwick upon Tweed.

— Samuel Holden, Esq; Member of Parliament for Eastlow in Cornwall.

July. Sir John Hatton, Bart.

— Sir Jeremy Van Acker Sambrook, Bart. Member of Parliament for Bedford.

— Sir Charles Cripe, Bart.

August. Sir William Cunningham, of Kepperton, Bart.

— Abraham Adams, Esq; one of the Directors of the East-India Company.

— Sir John Lade, Bart.

— Sir William Stanley of Cheshire, Bart.

— Archibald Hutchinson, Esq; famous for many excellent Speeches in Parliament, and Calculations relating to our Funds.

— Sir John Tynte, of Halfwell in Somersetshire, Bart.

— William Townshend, Esq; one of the Directors of the South-Sea Company.

— Thomas Frederick, Member of Parliament for New Shoreham in Sussex.

— John Gould, Esq; one of the Directors of the East-India Company.

September. Sir Robert Baird, of Sauchton-Hall, Bart.

— Henry Grey, Esq; Member of Parliament for Reading in Berkshire.

— Sir Robert Fagg, Bart. Member of Parliament for Steyning in Sussex.

October. Sir Robert Corbett, Bart.

— The Right Hon. Pryce Devereux, Lord Visc. Hereford.

— The Rev. Mr. Matthias Earbury, Author of several Political and other Writings.

— Sir Redmond Morres, Bart.

— Richard Lord Visc. Coote, eldest Son of the Earl of Bellamont.

— Sir William Williams, Bart.

November. Sir George Cook, Bart.

— The Right Hon. the Countess of Shelburne:

— Sir John Comyns, Lord Chief Baron of the Exchequer.

— The Right Hon. James, Earl of Castlebaven.

— Richard Levett, Alderman of Aldersgate Ward.

— Sir Andrew Aylmer, Bart.

N n 3 No-

November. Charles Caesar of Hertfordshire, Esq; —— Charles Vansbrugh, Esq; Member of Parliament for Plymouth.

December. James Herbert of Kingsey in Bucks, Esq; Member of Parliament for Oxford City.

—— William Hucks, Esq; Member of Parliament for Wallingford in Berks.

—— The Right Hon. Richard Boyle Lord Visc. Shannon, Field Marshal of his Majesty's Forces.

A General BILL of all the Christenings and Burials, within the City of London and Bills of Mortality, from the 11th of December 1739, to the 16th of December 1740.

Christened in the 97 Parishes within the Walls 1279,
Buried 2580.

Christened in the 17 Parishes without the Walls 3853, Buried 8001.

Christened in the 21 out Parishes in Middlesex and Surry 6144, Buried 13250.

Christened in the 10 Parishes in the City and Liberties of Westminster 3955, Buried 6980.

The DISEASES and CASUALTIES this Year.

A	Bortive and Stillborn	554	Childbed	227
Aged	2591	Colick, Gripes, and Twisting of the Guts	296	
Ague	6	Consumption	4919	
Apoplexy & Suddenly	228	Convulsion	8479	
Asthma & Tisick	1153	Cough, & Hooping	280	
Bedridden	23	Cough		
Bleeding	8	Diabetes	1	
Bloody Flux	6	Dropsey	1219	
Bursten and Rupture	28	Evil	50	
Cancer	56	Falling Sickness	1	
Canker	6			
		Fever		

Fever, Malignant }		Stoppage in the Sto-	{	185
Fever, Scarlet Fe-	ver, Spotted Fever,	mach		
and Purples		Surfeit	{	5
Fistula	Flux	Swelling	{	8
French Pox		Teeth	{	1708
Gout	60	Thrush	{	136
Gravel, Stone and }	43	Tympany	{	6
Strangury		Vomiting and	{	7
Grief	12	Looseness	{	7
Head Ach	1	Worms	{	13

CASUALTIES.

Headmouldshot,		B	Roken Limbs	10
Horshoehead, and }	165	Bruised	{	5
Water in the Head.		Burnt	{	11
Jaundies	108	Choaked	{	1
Imposthume		Died by the cut-	{	1
Inflammation	35	ting off a Leg.	{	1
Itch	1	Drowned		97
Leprosie	4	Excessive Drinking		52
Lethargy	8	Executed		13
Livergrown	7	Found dead		55
Lunatick	90	Fractured Skull		8
Measles	46	Frighted		1
Miscarriage	5	Frozen to Death		2
Mortification	318	Killed by Falls and	{	
Palse	43	several other Ac-		40
Plurisie	70	cidents		
Quinsie	18	Made away them-	{	55
Rash	3	selves		
Rheumatism	38	Murdered		8
Rickets	81	Overlaid		78
Rising of the Lights	12	Scalded		4
St. Anthony's Fire	4	Shot		1
Scald Head	2	Smothered		2
Scurvy	2	Starved		15
Small Pox	2725	Suffocated		3
Sores and Ulcers	30			
Spleen	1			

Total 462

Christened	Males	7833	Buried	Males	14985
	Females	7398		Females	15826
	In all	15231		In all	30811
	N n 4			Increased	

Increased in the BURIALS this Year, 5379.

Whereof have died,

Under two Years of Age	10765	Seventy and eighty	1716
Between two and five	2862	Eighty and ninety	758
Five and ten	1235	Ninety and a hundred	100
Ten and twenty	947	A Hundred	2
Twenty and thirty	2205	A Hundred and one	2
Thirty and forty	2783	A Hundred and two	2
Forty and fifty	2866	A Hundred and three	1
Fifty and sixty	2585	A Hundred and four	1
Sixty and seventy	1977	A Hundred and five	1
		A Hundred and six	1
		A Hundred and seven	2

Prices of STOCKS during the Year 1740.

Stock per Cent. or per Share.	Highest Price or Premium.	Lowest Price.
<i>East-India Stock.</i>	161	153
— Bonds.	5 <i>l.</i> 12 <i>s.</i>	3 <i>l.</i> 6 <i>s.</i>
<i>Bank Stock.</i>	143 <i>1</i> ₄	138 <i>1</i> ₂
— Circulation.	5 <i>l.</i> 17 <i>s.</i> 6 <i>d.</i>	1 <i>l.</i> 12 <i>s.</i> 6 <i>d.</i>
<i>Southsea Stock.</i>	102 <i>1</i> ₄	94 <i>1</i> ₄
— Annuities.	112 <i>1</i> ₄	108 <i>1</i> ₄
<i>Million Bank.</i>	116 <i>1</i> ₂	112
<i>African.</i>	13 <i>1</i> ₂	10
<i>Royal Assurance.</i>	9 <i>2</i> ₁ <i>1</i>	86
<i>London Assurance.</i>	11 <i>1</i> ₂	80 <i>1</i> ₂
3 per Cent. Annuities.	101 <i>1</i> ₂	98 <i>1</i> ₂
<i>Salt Tallies.</i>	1 <i>1</i> ₂	1 <i>1</i> ₂
<i>Emp. Loan, at 7 p. C.</i>	112 <i>1</i> ₄	98
<i>Equivalent.</i>	112	110 <i>1</i> ₂

The Course of Exchange during the Year 1740, from London to

	Highest	Lowest
Amsterdam	35. 8. 2 $\frac{1}{2}$	35. 1. 2.
—Ditto, Sight	35. 5.	34. 8.
Rotterdam	35. 9.	35. 1.
Hamburgb	34. 5. 2. $\frac{1}{2}$	34.
Paris	32 $\frac{5}{6}$	31 $\frac{7}{16}$
Bourdeaux	32 $\frac{1}{2}$	31 $\frac{1}{8}$
Cadiz	42 $\frac{1}{2}$	40 $\frac{1}{2}$
Madrid	42 $\frac{1}{4}$	40 $\frac{1}{2}$
Bilboa	41 $\frac{1}{4}$	39 $\frac{1}{2}$
Legborn	50 $\frac{1}{2}$	49 $\frac{1}{2}$
Gmoa	55	52 $\frac{1}{2}$
Venice	51 $\frac{1}{2}$	49 $\frac{1}{2}$
Lisbon	5 s. 5 d. $\frac{1}{4}$	5 s. 4 d. $\frac{1}{4}$
Oporto	5 s. 4 d. $\frac{1}{2}$	5 s. 4 d. $\frac{1}{4}$
Antwerp	36. 6.	35. 11.
Dublin	8 $\frac{1}{2}$	7 $\frac{1}{2}$.

Prices of Goods at Bear-Key during the Year 1740.

Grain per Quart.	Highest pr.	Lowest.
Wheat	41	29
Rye	20	12
Barley	19	12
Oats	16	11
Pease	29	19
Tares	25	19
Pale Malt	26	19
B. Malt	24	16
Horse Pease	20	16
Horse Beans	26	17

*Catalogue of Books and PAMPHLETS
published in the Year 1740.*

THEOLOGICAL.

A Sermon preached before the House of Lords on the Fast Day, Jan. 9. by the Bishop of Norwich; and a Sermon preached before the House of Commons on the same Day by *Pb. Barton, LL.D.* both for *J. Pemberton*, pr. 6d. each.

A Discourse on *Tit. iii. 4, 5, 6.* by *Dr. Waterland*, for *W. Innys*, pr. 1s.

A Treatise concerning the Publick Worship of God, by *W. Simons*, for *S. Birt*, pr. 3s. 6d.

A Sermon preached before the University of Oxford on the Fast Day, by *W. Harte, M.A.* for *R. Gofling and G. Hawkins*, pr. 6d.

A Sermon preached Jan. 30. before the House of Lords, by the Bishop of Bangor, for *J. Pemberton*, pr. 6d.

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